

Administrative Register *Mabel W. Robertson of* kentucky

1975 Legislative Research Commission, All Rights Reserved.
Volume 1, No. 10 (in Two Parts)

Frankfort, Ky. May 1, 1975

Subscription Price: \$24 Annually
Pages 969-1216

Public Hearings Are Scheduled

The following public hearings on proposed regulations have been scheduled in Frankfort. Persons having an interest in the subject matter of these regulations are invited to testify or submit comments in writing to the issuing agencies.

May 5 at 10 a.m. EDT

No-Fault Insurance, five regulations, 806 KAR 39:010 through 806 KAR 39:050 [1 Ky.R.879-880], Auditorium, Ground Floor, Capital Plaza Tower, Frankfort.

May 6 at 10 a.m. EDT

Water Impoundment Dams, Criteria, 401 KAR 4:030 [Ky.R.759], Hearing Room G-2, Capital Plaza Tower, Frankfort.

May 6 at 1:30 p.m. EDT

Water Impoundment Dams, Exceptions, 401 KAR 4:040 [1 Ky.R.759], Hearing Room G-2, Capital Plaza Tower, Frankfort.

May 7 at 9 a.m. EDT

Landfills, Construction and Operation, 401 KAR 2:010 [1 Ky.R.757], Auditorium, Capital Plaza Tower, Frankfort.

May 7 at 3 p.m. EDT

Waste Treatment and Distribution Systems, Standards, 401 KAR 6:040 [1 Ky.R.771], Auditorium, Capital Plaza Tower, Frankfort.

May 13 at 10:30 a.m. EDT

Water, Secondary Treatment Permits, 401 KAR 5:045 [1 Ky.R.763], Auditorium, Capital Plaza Tower, Frankfort.

May 13 at 1:30 p.m. EDT

Water Quality, Discharge of Pollutants, 401 KAR 5:035 [1 Ky.R.762], Auditorium, Capital Plaza Tower, Frankfort.

May 13 at 2 p.m. EDT

Electric Utilities 807 KAR 2:050 [1 Ky.R. 880], Public Service Commission offices, 24th Floor, Capital Plaza Tower, Frankfort.

May 14 at 9 a.m. EDT

Water Quality, Spills and Bypasses; Use Classification, two regulations, 401 KAR 5:015 and 401 KAR 5:025 [1 Ky.R.761], Auditorium, Capital Plaza Tower, Frankfort.

May 14 at 1:30 p.m. EDT

Water Quality, Sewage System Permits, 401 KAR 5:005 [1 Ky.R.760], Auditorium, Capital Plaza Tower, Frankfort.

May 20 at 10 a.m. EDT

Strip Mining, Reclamation, eight regulations, 402 KAR 1:025 through 402 KAR 1:060 [1 Ky.R.773-778], Auditorium, Health Services Building, 275 East Main Street, Frankfort.

May 28 at 1:30 p.m. EDT

Alcoholic Beverage Control, Prohibited Advertising, 804 KAR 1:080 [1 Ky.R.840], Meeting Room G-1, Capital Plaza Tower, Frankfort.

June 3 and 4 at 10 a.m. EDT

Kentucky Insurance Code, 49 regulations [in this issue], Auditorium, Capital Plaza Tower, Frankfort.

DEADLINE FOR NEXT ISSUE

The deadline for submitting proposed regulations for publication in the June 1, 1975 issue of the Administrative Register is Thursday, May 15, 1975.

This is an official publication of the Commonwealth of Kentucky, Legislative Research Commission, giving public notice of all proposed regulations filed by administrative agencies of the Commonwealth pursuant to the authority of Kentucky Revised Statutes 13.082.

Persons having an interest in the subject matter of a proposed regulation published herein may request a public hearing or submit comments within 30 days of the date of this issue to the official designated at the end of each proposed regulation.

The Administrative Register is the monthly advance sheets service for the 1975 Edition of KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE.

In This Issue

Cumulative Index	1190
List of Regulations and Effective Dates	1181
KRS Sections Cited or Related to KAR	1174
KAR Codification System	1162

Amended Regulations:

Revenue—Sales and Use Tax, General exemptions	971
Real Estate Commission—Brokers' advertising	971
Fish and Wildlife—Commercial fishing	971
Aeronautics—Air carrier certification hearings	972
Highways—Truckway classifications	973
Education—Instructional services	974
Public Service Commission—Utilities, rules	975
Health Services—General drugs; Need & Licensure	985

Proposed Regulations Received Through April 15:

General Assembly:	
Board of Ethics—Practice and procedure	992

Governor:

Agricultural Experiment Station—Seed, feeds, pet food	994
---	-----

Secretary of the Cabinet:

Revenue Department—Ad valorem taxes	1003
-------------------------------------	------

Executive Department for Finance and Administration:

Board of Accountancy—Rules, examinations, ethics	1009
Embalmers & Funeral Directors—Exams, licensing	1013
Veterinary Examiners—Rules, licensing, conduct	1014
Speech Pathology & Audiology—Licensure, ethics	1016
Engineers & Land Surveyors—Exams, licensing, fees	1018

Cabinet for Development:

Agriculture Department—Fairs and Shows	1022
—Milk marketing	1025
—Grain storage	1028
State Fair Board—Fairgrounds and Exposition Center	1029

Department of Justice:

Crime Commission—Meeting dates; grant applications	1031
State Police—Driver training; general traffic	1031
Bureau of Training—Law Enforcement Foundation Fund	1034

Department of Transportation:

Vehicle Regulation—Motor carriers	1037
—Driver licenses & improvement	1038
Aeronautics—Air carriers; airport safety; zoning	1040

Education and Arts Cabinet:

Administration & Finance—Surplus property	1045
—Building and grounds	1045
—Pupil transportation	1049
Instruction—Exceptional, handicapped children	1054
—Instructional materials, ESEA	1057
Vocational Education—Facilities, programs, management	1058
—Licensing proprietary schools	1069

Public Protection and Regulation Cabinet:

Mines and Minerals—Oil, gas, explosives, blasting	1069
Insurance—Kentucky Insurance Code implementation	1074
Public Service Commission—Public utilities	1091
Banking & Securities—Securities rules	1092
Harness Racing Commission—Racing rules	1097

Department for Human Resources:

Health Services—Drug Formulary	1125
—Alcohol, drug programs	1126
—Regional MH-MR boards	1131
—Certificate of Need & Licensure	1134
—Radiation operators	1158
Manpower Services—Private employment agencies	1161

Subcommittee Approves 102 Regulations

At its April 10, 1975 meeting, the Administrative Regulation Review Subcommittee approved for filing 102 regulations, all of which became effective on that date. Five other proposed regulations were returned to the issuing agencies.

Tentative minutes of the meeting, subject to approval at the Subcommittee's May 14, 1975 meeting follow:

Subcommittee Minutes

The Administrative Regulation Review Subcommittee held its tenth meeting on Wednesday, April 9, 1975, at 10 a.m. EDT in Room 327 of the Capitol. Present were:

Members: Senator Michael R. Moloney, Chairman; Representative James A. Davis and Representative Bobby H. Richardson, who was appointed by the Legislative Research Commission to succeed Representative Richard H. Lewis, who resigned from the General Assembly.

Guests: W.O. Hubbard, Department for Human Resources; Ken Howe, Attorney General's Office; Mack Morgan, Jr., Kentucky Retail Federation, Inc.; Dan Stockton, Division of Aeronautics, Department of Transportation; Gary L. Dailey, Bureau of Highways, Department of Transportation; David E. Murrell, Deputy Public Defender, and Ray Kring, Department of Revenue.

LRC Staff: Phillip R. Patton, E. Hugh Morris, Mabel Robertson, Garnett Evins, Deborah Herd and Tom Dorman.

Press: William Bradford, Associated Press; Herb Sparrow, United Press International; Ray Cohn, Lexington Herald Leader; Gary Auxier, Kentucky Post; and J.W. Perkins, State Journal.

The minutes of the meeting of March 12, 1975 were approved.

David E. Murrell, Deputy Public Defender, appeared before the subcommittee with respect to 501 KAR 1:010 from the Department of Justice. The proposed regulation concerned parole eligibility, and was promulgated by the Kentucky Parole Board. Mr. Murrell expressed the belief that the proposed regulation does not adequately establish guidelines or criteria for the granting of parole. Too much discretion is left with the board. Each potential parolee should be measured according to the same criteria and that criteria should be spelled out in the regulation. Mr. Murrell further argued that the schedule for eligibility is not compatible with the sentencing schedule under the Penal Code.

Senator Moloney pointed out that the question before the subcommittee was limited to whether the Parole Board had the authority to promulgate the regulation and that it appeared the authority existed. The regulation was filed upon a vote of 3-0.

Ray Kring, from the Department of Revenue, appeared with respect to 103 KAR 30:220. The proposed regulation

(Continued on Next Page)

Review Subcommittee Minutes

(Continued From Front Page)

exempted sales to units of local government, in excess of \$500 from the Kentucky sales tax.

Mr. Kring cited a 1968 case holding that the imposition of a use tax on out-of-state purchases by a city violated Section 170 of the Kentucky Constitution prohibiting taxation of "public property used for public purposes." The sales tax was not an issue in the case and has continued to be levied on sales to local governments. This has resulted in placing Kentucky retailers at a competitive disadvantage where the transaction involves a large sum. Thus, according to the department a significant volume of business is being lost to out-of-state competitors. The proposed regulation was issued to satisfy the requirements of Section 170 of the Kentucky Constitution and at the same time limit the competitive disadvantage currently enjoyed by out-of-state business.

Representative Richardson questioned the \$500 limitation, saying that if such sales are exempt under the Constitution all sales, including those less than \$500 must also be exempted. Representative Davis agreed. Senator Moloney expressed the belief that any exemption must come from the legislature. The regulation was returned to the department by a 3-0 vote.

201 KAR 11:020, Real Estate Commission was rejected for the reason that the examination fee of \$25 may be collected only when the actual examination is given and the proposed regulation attempts to authorize a collection of such a fee even though an examination is not given.

201 KAR 11:025, Real Estate Commission, was rejected for the reason that Section 2 appears to be in conflict with the provisions of KRS 324.040(4), which states the "requirement of thirty (30) clock hours of classroom instruction applies only to persons who are applicants for license for the first time."

201 KAR 11:125, Real Estate Commission, was rejected for the reason that the requirement set forth in the regulation apparently anticipates that an applicant for a broker's examination complete thirty (30) hours of classroom instruction prior to applying. However, KRS 324.040 requires such classroom instruction only for a salesman license and not for a broker's license.

502 KAR 5:010, Bureau of State Police, was rejected for the reason that KRS 16.080(1) requires that the promotion of officers be made on the basis "of seniority of service, qualifications being equal" the proposed regulation does not recognize seniority and consequently does not meet statutory requirements.

The following regulations were approved and filed:

102 KAR 1:185, Teachers' Retirement System; Reciprocal program.

200 KAR 3:010, Executive Department for Finance and Administration; State owned grounds, vehicle parking.

200 KAR 10:010, Executive Department for Finance and Administration; Office for Local Government; Area Development Districts.

200 KAR 10:030, Office for Local Government; Local Government bonds.

201 KAR 8:185, Board of Dentistry; Applicant requirements.

201 KAR 8:277, Board of Dentistry; Grade requirements.

201 KAR 10:010, Board of Landscape Architects; Duties of the board.

201 KAR 10:020, Board of Landscape Architects; Hearings.

201 KAR 10:030, Board of Landscape Architects; Code of ethics.

201 KAR 10:040, Board of Landscape Architects; Applications.

201 KAR 10:050, Board of Landscape Architects; Fees.

201 KAR 10:060, Board of Landscape Architects; Renewals.

201 KAR 10:070, Board of Landscape Architects; Seals.

201 KAR 11:005, Real Estate Commission; Application for license.

201 KAR 11:010, Real Estate Commission; Classroom instruction required.

201 KAR 11:015, Real Estate Commission; Re-examination after failure.

201 KAR 11:030, Real Estate Commission; License cancellation, reason for.

201 KAR 11:035, Real Estate Commission; Complaints against licensee.

201 KAR 11:040, Real Estate Commission; Contracts to contain financing provisions.

201 KAR 11:045, Real Estate Commission; Written offers to be submitted to owner-client.

201 KAR 11:050, Real Estate Commission; Net listings, requirements.

201 KAR 11:055, Real Estate Commission; Broker's sign requirements.

201 KAR 11:060, Real Estate Commission; Broker's name required on advertising.

201 KAR 11:065, Real Estate Commission; Trust or agency accounts required.

201 KAR 11:070, Real Estate Commission; Branch offices.

201 KAR 11:075, Real Estate Commission; Broker's interest disclosure.

201 KAR 11:080, Real Estate Commission; Broker's requirements when not regularly engaged in business.

201 KAR 11:085, Real Estate Commission; Conduct when managing property.

201 KAR 11:090, Real Estate Commission; Instruments prepared by broker, disposition.

201 KAR 11:095, Real Estate Commission; Closing statements, rental management agreements.

201 KAR 11:100, Real Estate Commission; Exclusive listing contract, continuation.

201 KAR 11:105, Real Estate Commission; Owner's consent and authorization.

201 KAR 11:110, Real Estate Commission; Exclusive authority retained by original broker.

201 KAR 11:115, Real Estate Commission; Auction obligations.

201 KAR 11:120, Real Estate Commission; Broker-salesman defined.

201 KAR 11:130, Real Estate Commission; Complaints must be resolved.

201 KAR 11:135, Real Estate Commission; Salesman obtaining broker's license.

201 KAR 11:140, Real Estate Commission; Salesman operating as broker, when.

201 KAR 11:145, Real Estate Commission; Salesman's duties when terminating employment with broker.

201 KAR 11:150, Real Estate Commission; Builder defined.

201 KAR 11:155, Real Estate Commission; Builder-developer; compliance with rules and regulations.

201 KAR 11:160, Real Estate Commission; hearing on failure to abide by rules and regulations.

201 KAR 12:050, Hairdressers and Cosmetologists; Reciprocity for valid licensee.

301 KAR 2:055, Fish and Wildlife Resources; Hunting, Land Between the Lakes.

301 KAR 3:030, Fish and Wildlife Resources; Year around season.

402 KAR 2:010, Natural Resources and Environmental Protection; Direct aid eligibility of districts.

402 KAR 2:020, Natural Resources and Environmental Protection; allowable district expenditure.

501 KAR 1:010, Justice, Corrections; Parole Eligibility.

602 KAR 1:025, Transportation, Air Carriers; Tariff hearing procedures.

602 KAR 1:050, Transportation, Air Carriers; Certificates; limitations and conditions.

602 KAR 1:060, Transportation, Air Carriers; Service requirements.

602 KAR 1:070, Transportation, Air Carriers; Monthly report.

602 KAR 1:080, Transportation, Air Carriers; Schedule reporting.

602 KAR 10:010, Transportation, Air Carriers; Airport boards, reimbursement for commuter air carrier service.

603 KAR 6:027, Highways; KY 1543, Classification.

704 KAR 3:150, Education, Instructional Services; Criteria for the unit of industrial arts teacher.

704 KAR 3:180, Education, Instructional Services; Criteria for the unit of school psychologist or psychometrist.

704 KAR 3:210, Education, Instructional Services; Criteria for the unit of school lunch director.

704 KAR 3:230, Education, Instructional Services; Criteria for the unit of director of pupil personnel.

804 KAR 2:005, Alcoholic Beverage Control; Outside signs, first and second class cities.

804 KAR 2:015, Alcoholic Beverage Control; Prohibited statements.

804 KAR 2:025, Alcoholic Beverage Control; Novelties and specialties.

805 KAR 1:040, Mines and Minerals, Oil and Gas; Vacuums, use of.

805 KAR 1:050, Mines and Minerals, Oil and Gas; Surety bonds.

807 KAR 2:020, Public Service Commission; Tariffs.

807 KAR 2:030, Public Service Commission; Gas service lines.

807 KAR 2:040, Public Service Commission; Water.

807 KAR 3:010, Public Service Commission; Safety-employee work areas.

901 KAR 1:010, Human Resources, Controlled Substances; Licensing of manufacturers and wholesalers.

901 KAR 1:020, Controlled Substances; Schedule II substances.

901 KAR 1:025, Controlled Substances; Schedule III substances.

901 KAR 1:030, Controlled Substances; Schedule IV substances.

901 KAR 1:040, Controlled Substances; Exempt preparations.

901 KAR 1:050, Controlled Substances; Prescription drug refills.

901 KAR 1:060, Controlled Substances; Return of prescription drugs prohibited.

901 KAR 5:010, Human Resources, Vital Statistics; State registrar.

901 KAR 5:020, Vital Statistics; Delayed birth registration.

901 KAR 5:030, Vital Statistics; Stillbirths.

901 KAR 5:040, Vital Statistics; Verification of birth and death facts.

901 KAR 5:050, Vital Statistics; Certified copies of certificates, fee.

901 KAR 5:060, Vital Statistics; Birth certificate reissued, circumstances.

901 KAR 5:070, Vital Statistics; Certificate of birth amended.

901 KAR 5:080, Vital Statistics; Delayed registration of deaths.

902 KAR 1:020, Human Resources, Drug Formulary Council; Ampicillin, as amended.

902 KAR 1:030, Drug Formulary Council; Erythromycin, as amended.

902 KAR 1:040, Drug Formulary Council; Penicillin-G, as amended.

902 KAR 1:050, Drug Formulary Council; Penicillin-V, as amended.

902 KAR 1:080, Drug Formulary Council; Acetaminophen.

902 KAR 1:090, Drug Formulary Council; Trisulfapyrimidine.

902 KAR 1:100, Drug Formulary Council; Reserpine.

902 KAR 1:110, Drug Formulary Council; Dyphenhydramine.

902 KAR 1:120, Drug Formulary Council; Promethazine Hydrochloride.

902 KAR 1:130, Drug Formulary Council; Chlorpromazine Hydrochloride.

902 KAR 1:140, Drug Formulary Council; Sulfisoxazole.

902 KAR 1:150, Drug Formulary Council; Hydrochlorothiazide.

902 KAR 4:010, Human Resources, Maternal and Child Health; Midwifery.

902 KAR 4:020, Maternal and Child Health; Care of eyes.

902 KAR 4:030, Maternal and Child Health; PKU tests.

902 KAR 7:010, Human Resources, Public Accommodations; Hotel and motel code.

902 KAR 45:005, Human Resources, Food and Cosmetics; Food service code.

905 KAR 1:040, Human Resources, Social Services, Child Care; Foster parents, basic criteria.

905 KAR 1:080, Social Services, Child Care; Boarding home rates.

On motion duly seconded and approved the subcommittee adjourned at 11:30 a.m. to meet again May 14, 1975, at 10 a.m. EST.

How To Cite

Cite all material in the Administrative Register of Kentucky by Volume number and page number. Example: Volume 1, Kentucky Register, page 318 (Short form: 1Ky.R. 318)

Cite portions of the 1975 KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE by Title, Chapter and Regulation number, as follows:

601 KAR 1:010

meaning Regulation 010 of Chapter 1 of Title 601. The 600-series of Titles indicates that the issuing authority is the Department of Transportation. Title 601 is the Bureau of Vehicle Regulation. Chapter 1 relates to Motor Carriers and Regulation 010 deals with the maximum length of such vehicles on specified highways.

Amended Regulations

In order to show the effect of amendments, original regulations are reprinted with the new matter underscored and deleted material enclosed within brackets.

(The following regulation, published initially in the December 1, 1974 issue [1 Ky.R. 232], was amended by the issuing agency to meet objections of the Administrative Regulation Review Subcommittee. The amended regulation will be considered by the Subcommittee at its May 14, 1975 meeting.)

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 30:100)
(Proposed Amendment)

RELATES TO: KRS 139.100, 139.110, 139.120, 139.130, 139.140, 139.480

PURSUANT TO: KRS 13.082

SUPERSEDES: SU-85

NECESSITY AND FUNCTION: To interpret the sales and use tax law as it applies to the artificial insemination of livestock.

Section 1. Livestock as used herein is limited to livestock, of a kind, the products of which ordinarily constitute food for human consumption.

Section 2. The service costs for the artificial insemination of livestock as defined in Section 1 hereof are exempt from the sales and use tax.

MAURICE P. CARPENTER, Commissioner

ADOPTED: April 15, 1975

APPROVED:

WILLIAM E. SCENT, Secretary

RECEIVED BY LRC: April 15, 1975 at 8:34 a.m.

(The following regulation, published originally in the March issue [1 KY.R. 596], was amended at the suggestion of the Administrative Regulation Review Subcommittee to change an incorrect statute citation. It became effective upon receipt by the LRC of the amendment.)

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Kentucky State Real Estate Commission
201 KAR 11:060
As Amended

RELATES TO: KRS 324.020 [324.115]

PURSUANT TO: KRS 13.082

SUPERSEDES: KSREC-15 (Rules 25 and 33)

EFFECTIVE: April 14, 1975

NECESSITY AND FUNCTION: To inform and set certain standards for the licensees and to protect the public.

Section 1. Unless otherwise prohibited by law, the employing broker's name and the fact that he is a real estate broker shall appear in all advertising of any nature whatsoever, including newspaper ads, all signs, stationery, cards, etc., in order that the general public be advised of the licensed broker. Firm name only is required on newspaper classified ads. This regulation shall apply only to those brokers who

are doing business under a firm name or assumed name other than their own.

Section 2. The name of the employing broker on all posted signs shall not be less than one (1) inch in height.

Section 3. The deceased broker's name may remain a part of the firm name.

Section 4. Only brokers may have their name in the firm name. (No salesman's name may be a part of the firm name.)

Section 5. Any salesman or broker employed as a salesman must advertise in the name of his employing broker, even when selling his own property.

DEVELOPMENT CABINET
Department of Fish and Wildlife Resources
301 KAR 1:145
(Proposed Amendment)

RELATES TO: KRS 150.010, 150.025, 150.120, 150.170, 150.175, 150.445, 150.450

PURSUANT TO: KRS 13.082

AMENDS: 301 KAR 1:145

NECESSITY AND FUNCTION: It is necessary to accurately describe the gear allowed in commercial fishing so that the limitations and susceptibilities of the gear will permit the harvesting of the proper size and species of fishes, and so that the sport harvest is not affected and the fishery resources perpetuation is assured. This amendment is necessary to add slat traps to the list of legal commercial gear.

Section 1. The following gear is the only commercial gear that can be used in commercial waters designated in 301 KAR 1:150 and under conditions described in 301 KAR 1:155 by appropriately licensed commercial fishermen.

Section 2. Legal Commercial Gear: (1) All lines and mesh must be made of linen, cotton, or flexible synthetic fiber only.

(2) All mesh is measured by bar measure. This measure is the length of one (1) side of the square, or as measured between two (2) knots on the same line.

(3) Gear:

(a) Hoop net, wing net, straight lead net, heart lead net:

1. Must have a minimum mesh size of three (3) inches.
2. Hoops may be any size or shape or material.
3. Maximum length of any lead or wing is thirty (30) feet.
4. One hoop net tag must be attached to the first hoop of each net.

(b) Gill net or trammel net:

1. Must have a minimum mesh size of four (4) inches, except gill or trammel nets fished only in the Mississippi River which may have a minimum mesh size of three (3) inches.
2. May be fished weighted, or as a flag net.
3. Must have one tag (seine, gill net and trammel net tag) attached to each 100 feet or part thereof.

(c) Commercial trotline:

1. Must have hooks placed no closer than eighteen (18) inches apart (more than fifty (50) hooks).
2. Must have one (1) trotline tag attached.

(d) Seine:

1. Must have a minimum mesh size of two (2) inches.
2. Must have both float and lead lines.
3. Must have wood, fiberglass or metal poles or brails attached at each end.
4. When seine is in the water, it must be attended by persons for pulling the seine through the water for the entrapment of fish.
5. At no time may a seine be left unattended to act as a set net or other purpose.
6. Must have one tag (seine, gill net and trammel net tag) attached to each 100 feet or part thereof.

(e) Slat trap or wood basket:

1. Must be constructed entirely of wood and nails or similar fastenings. No wire or other mesh may be added to any part of trap.
2. There must be at least two (2) openings left between slats no smaller than one and one-fourth (1 1/4) inches wide in the catch portion of the trap. These openings may not be restricted by cross-bracings to a length shorter than eight (8) inches.
3. The trap may be no larger than two (2) feet in diameter or square end measure.
4. Must have one tag attached to opening ring or square (hoop net, seine, trotline tag).

DR. ROBERT C. WEBB, Chairman
Department of Fish and Wildlife Resources Commission

ARNOLD L. MITCHELL, Commissioner

ADOPTED: March 10, 1975

APPROVED: April 8, 1975

DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 10, 1975 at 4:42 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Fish and Wildlife Resources, Capital Plaza Tower, Frankfort, Kentucky 40601.

Administrative Register ^{of} Kentucky

The Administrative Register of Kentucky is published monthly by the Legislative Research Commission, Room 300, State Capitol, Frankfort, Kentucky 40601. Subscription rate, postpaid in the United States: \$24 per volume of 12 issues, beginning in August and ending with the July issue of the subsequent year.

Second class postage paid at Frankfort, Kentucky.

Copyright 1975 by the Legislative Research Commission, all rights reserved.

KENTUCKY LEGISLATIVE RESEARCH COMMISSION

SENATOR WILLIAM L. SULLIVAN
President Pro Tem

Co-Chairmen

REPRESENTATIVE NORBERT BLUME
Speaker

Senate Members

House Members

TOM GARRETT
Majority Floor Leader

JOE GRAVES
Minority Caucus Chairman

JOHN SWINFORD
Majority Floor Leader

LARRY J. HOPKINS
Minority Caucus Chairman

EUGENE P. STUART
Minority Floor Leader

WILLIAM GENTRY
Majority Whip

W. HAROLD DeMARCUS
Minority Floor Leader

GEORGE F. HARRIS
Majority Whip

JOE STACY
Majority Caucus Chairman

DENVER C. KNUCKLES
Minority Whip

W. J. REYNOLDS
Majority Caucus Chairman

ARTHUR L. SCHMIDT
Minority Whip

PAT M. McCUISTON

JOSEPH McBRIDE

PHILIP W. CONN, Director

E. HUGH MORRIS, Assistant Director for Publications

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

Members

Staff

SENATOR MICHAEL R. MOLONEY
Chairman
REPRESENTATIVE JIM DAVIS
REPRESENTATIVE BOBBY H. RICHARDSON

Phillip R. Patton, Counsel for the Subcommittee
Mrs. Mabel D. Robertson, Regulations Compiler
Mrs. Dollie S. Wilson, Assistant
Mrs. Deborah Herd, Assistant

DEVELOPMENT CABINET
Department of Fish and Wildlife Resources
301 KAR 1:150
(Proposed Amendment)

RELATES TO: KRS 150.010, 150.025, 150.120, 150.170, 150.175, 150.445, 150.450

PURSUANT TO: KRS 13.082

AMENDS: 301 KAR 1:150

NECESSITY AND FUNCTION: It is necessary to regulate the places where commercial fishing is permitted to insure that the size of the water and fish population is large enough for this type of activity to better utilize and conserve those populations concerned. It is necessary to amend this regulation to add overflow lakes of Ohio River to the commercial fishing waters.

Section 1. Appropriately licensed commercial fishermen may fish with commercial fishing gear in the following designated waters subject to requirements as set forth in regulations designating commercial gear and manner of taking. Commercial gear may be used in no other waters of the Commonwealth except under specific permit.

Section 2. Commercial Fishing Waters. (1) Streams and rivers:

- (a) Barren River from its Junction with Green River upstream to Greencastle, Kentucky;
- (b) Big Sandy River from its Junction with Ohio River upstream to Junction of Levisa and rug forks;
- (c) Levisa Fork of Big Sandy River from its Junction with Big Sandy upstream to 200 yards below mouth of Paint Creek in Johnson County;
- (d) Cumberland River from its Junction with Ohio River upstream to Highway #62 Bridge;
- (e) Eagle Creek from its Junction with Kentucky River upstream to Highway #22 Bridge in Grant County;
- (f) Green River from its Junction with Ohio River upstream to 200 yards below Lock and Dam #6;
- (g) Highland Creek from its Junction with Ohio River upstream to Rock Ford Bridge in Union County;
- (h) Kentucky River from its Junction with Ohio River upstream to Junction of North and Middle Forks of Kentucky River;
- (i) North Fork of Kentucky River from its Junction with Kentucky River upstream to Mouth of Walker's Creek;
- (j) South Fork of Kentucky River from its Junction with Kentucky River upstream to Mouth of Cow Creek;
- (k) Licking River from its Junction with Ohio River upstream to a point directly adjacent to Highway #111 on the Bath and Fleming Counties line;
- (l) Mississippi River from the Mouth of Ohio River upstream to the Tennessee line;
- (m) Mud River from its Junction with Green River upstream to McGee Landing in Butler and Muhlenberg Counties;
- (n) Ohio River from its Junction with Mississippi River upstream to West Virginia Line;
- (o) Pond River from its Junction with Green River upstream to Highway #62 Bridge;
- (p) Panther Creek from its Junction with Green River upstream to Head of Creek;
- (q) Rough River from its Junction with Green River upstream to Highway #69 Bridge at Dundee, Kentucky;
- (r) Tennessee River from its Junction with Ohio River upstream to River Mile 17.8;
- (s) Tradewater from its Junction with Ohio River upstream to Highway #132 Bridge.

(2) Lakes. The following lakes are open to commercial fishing, but not above the first shoal or riffle upstream from the impounded or standing pool of the lake in any main or tributary stream:

- (a) Barkley;
- (b) Cumberland;
- (c) Herrington;
- (d) Kentucky;
- (e) Nolin;
- (f) Rough River;
- (g) Overflow lakes directly connected to the Mississippi and Ohio Rivers [in Hickman, Fulton, Carlisle and Ballard Counties];
- (h) Dewey Lake is open uplake to a point directly beneath the concrete structure known as Buffalo Bridge which crosses the lake.

DR. ROBERT C. WEBB, Chairman
Department of Fish and Wildlife Resources Commission

ARNOLD L. MITCHELL, Commissioner

ADOPTED: March 10, 1975

APPROVED:

DEE ASHLEY AKERS, Secretary
RECEIVED BY LRC: April 10, 1975 at 4:43 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Fish and Wildlife Resources, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
602 KAR 1:020
(Proposed Amendment)

RELATES TO: KRS Chapter 183

PURSUANT TO: KRS 183.570, 13.082, 183.024

AMENDS: 602 KAR 1:020

NECESSITY AND FUNCTION: This regulation provides rules and procedures for hearing and determining applications for certificates of public convenience and necessity by common carriers by air, permits for charter air carriers and other matters related to air carriers that may properly come before the Department of Transportation for a hearing.

Section 1. (1) Applications for certificates of public convenience and necessity shall be set for a hearing at the earliest date convenient to the Department. If more than one (1) application has been filed seeking a certificate over the same route or any part thereof, or if more than one (1) application seeking the same or similar authority, has been filed prior to the issuance of notices of a hearing on any of the applications, then, in such an event, a consolidated hearing shall be called on all such applications. Any such application filed after hearing notices have been issued may, in the Secretary's discretion, be considered at a consolidated hearing or may be heard independently.

(2) Applications for charter air carrier permits which require a hearing shall be set for a hearing at the earliest date convenient to the Department. If there is more than one charter permit applicant seeking a permit for charter service from a single airport, then a consolidated hearing may be called on all such applications.

(3) A hearing on all matters related to air carriers shall be conducted in accordance with this regulation insofar as it's practicable.

Section 2. The secretary shall appoint an examiner to conduct hearings regarding any application. The examiner shall be a practicing attorney in this State.

Section 3. Protests. Any interested party who objects to an application and desires to intervene and participate in the proceedings may file a protest with the Department. All protests must state the grounds therefor and be filed at least ten (10) days before the date set for the hearing.

Section 4. All protests, pleadings, motions, and other papers must be filed with the Department in duplicate and shall be typewritten and double-spaced on white legal size paper, properly styled with the matter to which they are relative, and the Docket Number assigned by the Department. When filed by a party represented by an attorney, they shall be signed by at least one attorney of record in his individual name and shall state his address. Except when specifically provided otherwise, pleadings need not be verified or accompanied by an affidavit. The attorney's signature shall constitute the certification by him that he has read the matter; that to the best of his knowledge, information, and belief the statements contained therein are true; and that it is not interposed for delay. If the matter is not signed or is signed with the intent to defeat the purpose of this rule, it may be stricken as sham and false, and the matter may proceed as though there had been no filing.

Section 5. Filing with the Department means the receipt of a pleading, or other paper in the office of the Director, Division of Aeronautics and Airport Zoning, 421 Ann Street, Frankfort, Kentucky 40601, during the regular office hours. The date and time of such receipt shall be indicated thereon by the Department, such date being the date of filing. In the event the date on which any protest, pleading, motion, or other paper must be filed is Saturday, Sunday, or a legal holiday, the date for filing will be the close of the next regular business day of the Department.

Section 6. Service of Pleadings and other Papers. Any person who files a protest, pleading, complaint, or other paper, must serve a copy thereof upon the applicant, respondent, or initiating party and shall certify to the Department that such service has been accomplished.

Section 7. Withdrawal. Any person who desires to withdraw a protest, pleading, or other paper may do so upon written notice to the Department and to the interested parties as soon as possible.

Section 8. Continuances. (1) All hearings shall be held on the day set by the notice issued by the Department. No change will be made in a hearing date except: (a) Upon agreement of all interested parties with approval of the Department; (b) By order of the Department issued upon a written motion by a party stating the reasons for a continuance; and (c) Upon order of the Department for any reasons deemed necessary or advisable.

(2) If the continuance is granted prior to the expiration of the time for filing protests such time will be extended until ten (10) days before the date set for the hearing. If the continuance is granted after the expiration of the time for filing protests no further protests will be received.

Section 9. Appearances. If an appearance by applicant is

not made at a hearing on the application, the application may be denied or dismissed. If a protestant does not appear at the hearing on the matter in which the protest was filed, such protest will not be considered as a part of the record. If a party who files a supporting statement fails to appear, such statement will not be considered as a part of the record.

Section 10. Adjournment. The hearing may be adjourned to a future day for a just cause shown, or with consent of the parties, or by the Examiner on his own motion and order.

Section 11. Service on Attorney. When a party has appeared by an attorney, all communications, notices, pleadings, etc., must be sent to such attorney. Service on the attorney will be considered as service on the party. The Department shall be notified of any change in such attorney.

Section 12. Proof. Evidence at all hearings shall be by oral testimony, except upon special permission of the Examiner designated by the Secretary to hold the hearing.

Section 13. Prepared Statements. Prepared statements will be received in evidence only when copies thereof have been furnished to all parties and the Department for a reasonable time prior to their introduction in the proceeding, so that objections may be made before such statements are read or made a part of the record.

Section 14. Exhibits. All exhibits filed during a hearing must be filed in duplicate and a copy thereof shall be furnished to each party.

Section 15. Stipulations. Parties to any proceeding before the Department, may, by stipulation entered in the record, agree upon the facts therein or any portion thereof. It is desirable that facts be thus agreed upon whenever practicable. Such stipulations will not be binding on the Department, or upon the parties who are not parties to the stipulation, and the Examiner may require additional evidence if he deems it necessary.

Section 16. Qualification of Witnesses. Witnesses shall not be permitted to give opinion evidence unless they have first qualified so as to show that their special familiarity and knowledge with the subject entitles them to express an opinion which will be helpful to the Department.

Section 17. Evidence. Any evidence which would be admissible under the statutes of the State of Kentucky, and under rules of evidence followed by the circuit courts of the State of Kentucky, will be admitted by the Examiner in hearings before the Department. However, subject to the discretion of the Examiner, matter may be admitted that will be of assistance in determining the rights of the parties.

Section 18. Transcript. The Examiner holding a hearing may, in his discretion, order the taking of a transcript of the hearing. Should a case be protested or contested in any manner, a transcript of the testimony, exhibits, statements and arguments shall be made. In the event a transcript is ordered by the Examiner or is required by this regulation, it shall be the duty of the party instituting the proceeding to provide the stenographic reporter for its transcription. The reporter shall furnish the original and one (1) copy of the transcript to the Department. All transcripts shall be indexed to show the location of the testimony of each witness and all exhibits. The cost of transcribing the evidence and of furnishing an original of the transcript to the Department shall be borne by parties to the hearing and shall be prorated between or among them, on the basis of testimony, cross-examination, and statements put in the record by each party. Additional copies of the transcript may be purchased from the reporter at the entire cost of the party desiring same.

Section 19. Exclusion of Witnesses. Upon request of a party or on the Examiner's own motion, witnesses may be ordered excluded from the hearing room. Principals may remain in the hearing room.

Section 20. Briefs. The Department will receive briefs, if a party desires to submit one and is allowed to do so by the Examiner, or the Examiner may require the filing of briefs, which briefs when submitted may be answered by the opposition and will be considered in the determination of the matter. The time for filing of the briefs and replies will be set by the Examiner at the close of the hearing and no additional time will be allowed without good cause shown.

Section 21. Upon request by any party or upon his own motion, the Examiner may hold a prehearing conference to determine whether the parties can agree by stipulation on any relevant facts and whether the parties may resolve any issues before the hearing. The Examiner may order the parties to exchange any prepared statements and exhibits they intend to introduce at the hearing and to exchange the names and qualifications of any experts they intend to call as witnesses at the hearing.

Section 22. When Matter May Be Reopened. Any matter may be reopened at any time by the Department if it is found that fraud, or any act, or omission, amounting to a fraud, has been perpetrated; or if it appears that the laws, rules and regulations were not complied with by any party or by the Depart-

ment, and that the rights of any persons have been prejudiced thereby.

Section 23. Subpoenas. Any applicant, protestant, or other party, who desires to summon and compel the attendance at any hearing of any witness or witnesses, or who desires the production in evidence of any books, records, papers, etc., may procure the issuance of a subpoena or a subpoena duces tecum or orders of personal attendance, by application to the Director, Division of Aeronautics and Airport Zoning, unless the hearing is in progress, in which case application shall be made to the Examiner conducting the hearing. Applications for subpoenas or subpoenas duces tecum or orders of personal attendance shall be made in the manner provided by the appropriate sections of the Kentucky Rules of Civil Procedure, and upon their issuance shall be served as provided in Rule 45.03 of the Kentucky Rules of Civil Procedure. Cost of Service shall be paid by the party at whose instance the issuance was made. However, it shall be the duty of the person desiring the attendance of a witness to see that said witness is present at the time and place of the hearing; the failure of the witness to appear, whether subpoenaed or not, will not constitute grounds for the continuance of the hearing.

Section 24. Report and Recommended Order. Upon the conclusion of a hearing, the Examiner shall make a Report and Recommended Order which shall contain findings of fact and conclusions of law together with recommended rates, fares and charges and time schedules, when necessary. Copies of the Report and Recommended Order shall be served upon each of the parties.

Section 25. Exceptions and Replies Thereto. Any party to a hearing may, within fifteen (15) days after the day of service of the Report and Recommended Order upon him, file and serve his exceptions thereto. Exceptions shall consist of as many objections to the whole or any part of the Order as the party filing the exception desires to make, with each objection numbered. Each objection shall fully state the nature thereof and the grounds therefor. Replies to exceptions shall be filed within fifteen (15) days after service of the exceptions, if any party desires to make a reply. The reply shall consist of a separate reply to each objection set out in the exception.

Section 26. Final Order. (1) Upon the filing of the exceptions and replies thereto and/or upon expiration of the time for filing of same, the Examiner shall render the complete record to the Secretary, who shall consider and pass upon the case. The Secretary may, after a study of the case, refer it back to the Examiner and request the taking of more proof on any point in issue. The Secretary may require oral argument of the case. When passed upon by the Secretary, the decision shall be served by registered mail upon all parties and shall be a final order of the Department. The final order shall contain the date of its rendition.

(2) At the time a certificate is granted to a common carrier by air, the final order granting it may approve a time schedule and a schedule of rates, fares and charges filed by the applicant or a time schedule and a schedule of rates, fares, and charges determined by the Department, which, when approved, shall be the time schedule and the schedule of rates, fares and charges upon which the carrier shall operate until the Department has approved a change or modification thereof.

Section 27. Temporary Authority. (1) An applicant for a certificate of public convenience and necessity may petition the Department for temporary authority pending a final determination of its application. A petition for temporary authority must state the grounds therefor and show that there is an urgent need for the service proposed. The petition must be verified. The Secretary may grant temporary authority for not more than sixty (60) days or until a final determination of the application, upon such recommendation by the examiner appointed to hear the application.

(2) Temporary authority shall not be granted to an applicant for a charter air carrier permit.

JOHN C. ROBERTS, Secretary

ADOPTED: March 17, 1975

RECEIVED BY LRC: April 14, 1975 at 2:51 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Aeronautics and Airport Zoning, Department of Transportation, 421 Ann Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Bureau of Highways
603 KAR 5:095
(Proposed Amendment)

RELATES TO: KRS 189.222

PURSUANT TO: KRS 13.082

AMENDS: 603 KAR 5:095

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Bureau of Highways to establish reasonable weight classifications of highways and fix a different maximum for each classification.

Section 1. The classification for KY 245 is added as follows:

ADMINISTRATIVE REGISTER

KY 245 AAA From: Jct. Ky. Turnpike, 4.9 miles South of
Shepherdsville
To: Jct. US 31E in Bardstown

B All other portions not herein classified.

Section 2. The classification for Ky. 331 is amended as follows:

KY 331 AAA From: Jct. US 60 (Fourth Street in
Owensboro) extending northerly
To: L & N Railroad Crossing

Section 3. The classification for US 421 is amended as follows:

US 421 AAA From: Indiana State Line at Milton
To: Jct. KY 146 in New Castle

and From: Broadway in Frankfort, via Wilkinson
Street, Dailey Avenue and Thornhill
By-pass and via Lexington, Richmond
and Bighill
To: Jct. KY 2004 at Sand Gap in Jackson
County [Jct. US 60 in East Frankfort]

[and From: Jct. US 60 in Frankfort
To: Jct. KY 4 (Lexington Circle
Expressway)]

and From: The north city limits of Manchester
To: Jct. KY 80 south of Manchester

and From: Jct. US 119 at Baxter
To: Jct. KY 38 in Harlan

[and From: Jct. US 25, south of Richmond
To: Jct. KY 2004 at Sand Gap]

Except: The following listed bridges shall be limited to the following: Gross weight-59,000 pounds for Type III vehicles. All other vehicles legal axle loads.

1. Bridge over Hays Fork Creek, 0.65 mile south of Jct. US 25 near Kingston. (Madison County)
2. Bridge over Blue Lick Creek (34' RCDG) 5.8 miles south of Jct. US 25 near Kingston. (Madison County)
3. Bridge over a branch of Blue Lick Creek 7.2 miles south of Jct. US 25. (Madison County)

AA From: Jct. KY 146 in New Castle
To: Jct. Broadway and Wilkinson Streets in Frankfort

and From: Jct. KY 2004 at Sand Gap
To: N.C.L. of Manchester

and From: Jct. KY 80 south of Manchester via Hyden
To: Jct. US 119 at Baxter

and From: Jct. KY 38 in Harlan
To: Virginia State Line

Except: Cumberland River Bridge at Baxter (15 ton capacity) (Can be by-passed). Except the bridge over L & N Railroad and Payne Street 300' west of Newtown Road Extension on Main Street in Lexington (10 ton capacity) (Can be by-passed).

ADOPTED: March 18, 1975

RECEIVED BY LRC: April 14, 1975 at 11:53 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: W. L. Willis, General Counsel, Department of Transportation, Frankfort, Kentucky 40601.

JOHN C. ROBERTS, Secretary

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
704 KAR 3:180

RELATES TO: KRS 157.360
PURSUANT TO: KRS 13.082, 156.070, 156.130, and 156.160
AMENDS: 704 KAR 3:180

EFFECTIVE: April 9, 1975

NECESSITY AND FUNCTION: KRS 157.360 requires the superintendent of public instruction to allot units to the unit of school psychologist or school psychometrist. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. (1) A school psychologist holding a valid teaching certificate and currently employed shall be approved for a special service unit in 1959-60, and until such time as criteria including certificate standards are adopted by the State Board of Education.

(2) The position of school psychometrist is defined as a skilled technician employed by the school district to assist principals, supervisors, guidance counselors, and teachers in the measurement of abilities, achievements, progress and other characteristics of school pupils.

Section 2. A person qualified to serve in an approved unit of school psychometrist shall have a certificate valid for the position of school psychometrist.

Section 3. (1) The school psychometrist employs his specialized knowledge and skills in the measurement of pupil characteristics and abilities in the schools under the direction of the school's administrative and supervisory officers. While he has specialized in the evaluation and measurement of the psychological and educational traits of young persons, and in the statistical treatment of numerical data obtained by evaluative methods, he is neither a psychologist nor an instructional supervisor.

(2) The purpose of the services rendered by the school psychometrist to members of the school's staff is to provide more accurate data than would otherwise be available regarding individual pupils and groups of pupils in the school. The school psychometrist's chief responsibility is to recommend and to direct the application of those measuring instruments which will provide most accurately the information about pupils desired by other staff members. He discharges these responsibilities by:

- (a) Selecting and recommending the measuring devices that are the most valid and reliable indicators of the pupil characteristics to be considered.
- (b) Planning, organizing and directing the administration of the tests or other devices chosen by the school staff member or members.
- (c) Planning, organizing and directing the scoring of the measures administered.
- (d) Converting the raw scores into such terms as are desired by the staff.
- (e) Making such statistical calculations as are needed by the staff.
- (f) Preparing charts, graphs and other interpretative materials for the use of the staff.
- (g) Keeping and filing for later reference the important data obtained.
- (h) Selecting, training and supervising clerical workers employed to score tests, collect data, and carry out statistical tasks in his office.
- (i) Conducting minor research studies of groups of school pupils for administrative, supervisory or guidance counselors [officers].
- (j) Assisting guidance counselors [officers] in obtaining and organizing pertinent data needed regarding individual students.
- (k) Making diagnostic studies of the individual child.

(3) The purpose of the services rendered by the school psychometrist to other individuals and groups is to conserve the time of the school's teachers, guidance counselor(s) and administrative and supervisory personnel in supplying recorded data regarding students to agencies or individuals not directly involved in the school's educational programs. [This responsibility is discharged by:]

- [(a) Supplying data regarding students to approved state, national or university research workers.]
- [(b) Supplying data regarding students who transfer to other school systems or who graduate and apply for admission to colleges, etc.]
- [(c) Supplying data regarding students to prospective employers.]
- [(d) Supplying data regarding gifted students to approved organizations seeking to honor or to aid such students.]
- [(e) Supplying data regarding handicapped students to approved groups seeking to stimulate interest in and aid for such students.]

(4) The work of the school psychometrist supplements the work of the guidance counselor. Therefore, the position of guidance counselor shall be established in the school or school district before that of the school psychometrist.

Section 4. Provision of office space, financial support and clerical assistance shall be provided.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:10 p.m.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
704 KAR 3:210

RELATES TO: KRS 157.360

PURSUANT TO: KRS 13.082, 156.070, 156.130, and 156.160

AMENDS: 704 KAR 3:210

EFFECTIVE: April 9, 1975

NECESSITY AND FUNCTION: KRS 157.360 requires the superintendent of public instruction to allot units to the unit of school lunch director. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. The district school food service director shall be defined as one who works with others to plan, develop, administer, and supervise the school food service program on a district basis. [The district school lunch director shall be defined as a person who works with others to plan, develop, administer, and supervise the school lunch program on a school districtwide basis, as part of the school curriculum.]

Section 2. Personnel qualified to serve in an approved unit for school food service [lunch] director shall meet the standards by one of the following plans:

(1) Valid Kentucky school administrator's certificate and two (2) years' experience. [Hold a high school certificate with a major in home economics with three (3) years of experience in teaching or work related to education.]

(2) Valid Kentucky teaching certificate and two (2) years' teaching experience. [Hold a valid high school or elementary certificate with a minimum of nine (9) semester hours of approved work in the area of foods and nutrition and also have three (3) years of experience in teaching or work related to education.]

(3) Graduation from an accredited college or university with a major in home economics with emphasis in field of dietetics. Completion of one (1) year of approved internship in dietetics and possess membership in the American Dietetic Association. [Personnel new to the program beginning with the school year 1957-58 shall be qualified to serve in an approved unit for district school lunch director provided that they meet one of the following qualifications:]

[(a) Hold a high school certificate with a major in home economics and provided they have had one (1) year experience in teaching or work related to education, or]

[(b) Hold a provisional high school or provisional elementary certificate with a minimum of nine (9) semester hours of approved work in the area of foods and nutrition and an additional nine (9) semester hours of approved work in the area of foods and nutrition and an additional nine (9) semester hours of foods and nutrition or related subjects such as: Administration, Biological Chemistry, Child Care and Development, Curriculum Development, Economics, Evaluation, Food Chemistry, Institutional Management, Institutional Marketing, Methods of Teaching, Organic Chemistry, Physiology, Psychology, Sociology, Supervision, Visual Teaching, and provided they have had one (1) year experience in teaching or work related to education.]

[(c) In addition to the requirements in paragraphs (a) or (b), persons new to the program beginning with the year 1958-59 shall be required to have three (3) years of experience in teaching or work related to education.]

(4) A baccalaureate degree and three (3) years' experience in a non-teaching supervisory position.

(5) A baccalaureate degree and three (3) years' experience in a non-teaching administrative position.

(6) Two (2) years of college supplemented by four (4) years of experience in operation and management of dining room and/or restaurant facilities. Additional education in the area of accounting and/or business management may be substituted for the experience on a year-for-year basis.

Section 3. Personnel serving in an approved unit for school food service program director shall not be affected by the provisions of Section 2. [The plans for a school lunch program shall deal with ways to achieve full service, effective personnel, and financial management, economical purchase and storage, adequate facilities, and desirable health practices, and means of interpreting these to the community.]

[Section 4. Office space, equipment, supplies necessary to carry out the program, typewriter, mimeograph machine, desk, phone, and other items depending upon the needs in the school community, and adequate financial support to insure an effective program shall be provided.]

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:11 p.m.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
704 KAR 3:230

RELATES TO: KRS 157.360

PURSUANT TO: KRS 13.082, 156.070, 156.130 and 156.160

AMENDS: 704 KAR 3:230

EFFECTIVE: April 9, 1975

NECESSITY AND FUNCTION: KRS 157.360 requires the superintendent of public instruction to allot units to the unit of director of pupil personnel. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

[Section 1. Each board of education shall employ a director of pupil personnel.]

Section 1. [2.] A director of pupil personnel shall hold a certificate valid for the position of director of pupil personnel or attendance officer or official approval from the superintendent of public instruction. In the event that a person holding regular certification for the position of director of pupil personnel cannot be secured by the local board of education either locally or from a listing of available personnel supplied by the Department of Education, the superintendent of public instruction will approve the employment for a one-year period of a person who has

- (1) A classroom teaching certificate
- (2) A Master's degree, and
- (3) Two (2) years of successful teaching experience.

Section 2. [3.] (1) The director of pupil personnel shall be responsible for working with pupils, teachers, and parents in developing and understanding the functions of the school. He shall devote his time and effort to discovering problems of social adjustment that result in nonattendance and lack of adjustment of the school situation and seek means to correct these conditions.

(2) The director of pupil personnel shall be responsible for the records and reports relating to attendance and pupil personnel accounting.

(3) The director of pupil personnel shall initiate and conduct research projects which will aid in planning the total school program.

(4) The director of pupil personnel shall cooperate with the community and state agencies and utilize resources in seeking solutions to the problems of children.

[(5) The director of pupil personnel shall be responsible for the enforcement of the compulsory attendance and census laws and shall secure the enrollment of all children who should be enrolled and keep such children in reasonably regular attendance.]

Section 3. [4.] The director of pupil personnel shall be furnished with the necessary office space to properly carry out the functions of his office, together with the filing cabinets and other equipment needed for efficient operation. Sufficient clerical assistance shall be provided to permit accurate accounting for all pupils in the local system.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 2:12 p.m.

(The following two regulations were published originally [1 Ky.R. 183; 260] and were amended by the issuing agency following a public hearing. They will be considered by the Administrative Regulation Review Subcommittee at its meeting on May 14, 1975.)

PUBLIC PROTECTION AND REGULATION CABINET
Public Service Commission
(807 KAR 2:010)
(Proposed Amendment)

RELATES TO: KRS Ch. 278

PURSUANT TO: KRS 278.280(2), 13.082

SUPERSEDES: PSC:Gen-1

NECESSITY AND FUNCTION: KRS 278.280(2) provides that the commission shall prescribe rules for the performance of any service or the furnishing of any commodity by any utility. This regulation establishes general rules which apply to electric, water, gas and telephone utilities.

Section 1. General Provisions. (1) The adoption of regulations by the commission shall not preclude the commission from altering or amending the same in whole or in part, or from requiring any other or additional service, equipment, facility, or standards, either upon request, or upon its own motion, or upon the application of any utility. No regulation of the commission shall in any way relieve a utility from any of its duties under the laws of this state.

(2) Whenever standards or codes are referred to in the commission's regulations it is understood that utilities employing competent corps of engineers are not to be prohibited thereby from continuing or initiating experimental work and installations which tend to improve, decrease the cost of, or increase the safety of their service.

Section 2. Definition. (1) In addition to the definitions as set out in KRS 278.010, the following definition shall be used in interpreting the commission's regulations:

(2) The word "customer" means any person, firm, corporation or body politic supplied service by any electric, gas, water or telephone utility.

Section 3. Reports. (1) Financial and Statistical Reports: Every utility shall file annually a financial and statistical report upon forms to be furnished by the commission. Said report shall be based upon the accounts set up in conformity with the commission's order adopting uniform classification of accounts for utilities. This report shall be filed on or before March 31, each year. For good cause shown, the commission may, upon application in writing, allow a reasonable extension of time for such filing.

(2) Report of Meters, Customers and Refunds. Every utility shall make periodical reports on such forms as may be prescribed, of meter tests, number of customers and amount of refunds.

(3) Other Reports. Every utility shall make such other reports as the commission may at its discretion from time to time require.

(4) All records and reports shall be retained in accordance with the Uniform System of Accounts unless otherwise specified herein.

Section 4. Service Information. (1) The utility shall, on request, give its customers or prospective customers such information as is reasonably possible in order that they may secure safe, efficient and continuous service. The utility shall inform its customers of any change made or proposed in the character of its service which might affect the efficiency, safety, or continuity of operation.

(2) Prior to making any substantial change in the character of the service furnished, which would affect the efficiency, adjustment, speed or operation of the equipment or appliances of any customer, the utility shall obtain the approval of the commission. The application shall show the nature of the change to be made, the number of customers affected, and the manner in which they will be affected.

(3) The utility shall inform each applicant for service of the type, class and character of service that is available to him at his location.

Section 5. Special Rules or Requirements. (1) No utility shall establish any special rule or requirement without first obtaining the approval of the commission or proper application.

(2) A customer who has complied with the regulations of the commission shall not be denied service for failure to comply with the rules of the utility which have not been made effective in the manner prescribed by the commission.

Section 6. Meter Readings and Information. (1) Information on Bills. Each bill rendered periodically by water, gas and electric utilities shall show the class of service, the present and last preceding meter readings, the date of the present reading, the number of units consumed, the meter constant, if any, the net amount for service rendered, all taxes, the adjustments, if any, and the gross amount of the bill. The date after which a penalty may apply to the gross amount must be indicated. Estimated or calculated bills shall be distinctly marked as such. The rate schedule under which the bill is computed shall be furnished under one of the following methods:

- (a) By printing rate schedule on the bill.
- (b) By publishing in a newspaper of general circulation once each year or when rate is changed.
- (c) By mailing to each customer once each year or when rate is changed.
- (d) By providing a place on each bill where a customer may indicate his desire for a copy of the applicable rates and furnishing same by return first class mail.

(2) Meter Readings. The registration of each meter shall read in the same units as used for billing unless a conversion factor be shown on the billing forms and if the meter does not read direct, the constant shall be plainly marked on the face of the meter dial.

(3) Flat Rates. Flat rates for unmetered service shall approximate as close as possible the utility's rates for metered service and the rate schedule shall clearly set out the basis upon which consumption is estimated.

(4) Utilities now using or desiring to adopt mechanical billing or other billing systems of such a nature as to render compliance with all of the terms of subsection (1) of this section impracticable, may make application to the commission for relief from part of these terms. For good cause shown, the commission may allow the omission of part of these requirements. Each utility shall submit the form of bill to be used by it to the commission for its approval.

Section 7. Deposits. (1) A utility may require from any customer or applicant for service a minimum cash deposit or other guaranty to secure payment of bills of an amount not to exceed two twelfths (2/12) of the estimated annual bill of such customer or applicant, where bills are rendered monthly or an amount not to exceed three-twelfths (3/12) of the estimated annual bill of such customer or applicant, where bills are rendered bimonthly or an amount not to exceed four-twelfths (4/12) of the estimated bill of such customer or applicant where bills are rendered quarterly.

(2) The utility shall issue to every customer from whom a

deposit is received a certificate of deposit, showing the name of the customer, location of initial premises occupied, date and amount of the deposit.

Section 8. Complaints. Upon complaint to the utility by a customer either at its office or in writing, the utility shall make a prompt and complete investigation and advise the complainant thereof. It shall keep a record of all such complaints concerning its utility service which shall show the name and address of the complainant, the date and nature of the complaint, and the adjustment or disposition thereof.

Section 9. Bill Adjustment. (1) Whenever a meter in service is found upon periodic request or complaint test to be more than two percent (2%) fast, additional tests shall be made at once to determine the average error of the meter. Said tests shall be made in accordance with the commission's regulation applicable to the type of meter involved.

(2) If the result of tests on a customer's meter shows an average error greater than two percent (2%) fast, then the customer's bill, for the period during which the meter error is known to have existed, shall be recomputed and the account adjusted on the basis of the test. In the event the period during which the meter error existed is unknown, then the customer's bill shall be recomputed for one-half (1/2) of the elapsed time since the last previous test but in no case to exceed twelve (12) months. (See exception in subsection (5) of this section)

(3) If the result of tests on a customer's meter shows an average error greater than two percent (2%) slow, then the customer's bill, for the period during which the meter error is known to have existed, may be recomputed and the account adjusted on the basis of the test. In the event the period during which the meter error existed is unknown, then the customer's bill may be recomputed for one-half (1/2) of the elapsed time since the last previous test but in no case to exceed twelve (12) months.

(4) It shall be understood that when a meter is found to have an error in excess of two percent (2%) fast or slow the figure for calculating the amount of refund or the amount to be collected by the utility shall be that percentage of error as determined by the test; i.e., it is the duty of the utility to maintain the accuracy of its measuring devices as nearly one hundred percent (100%) as is commercially practicable. Therefore, percent error shall be that difference as between one hundred percent (100%) and that amount of error as is indicated by the test.

(5) The burden of maintaining measuring equipment so that it will register accurately is upon the utility; therefore, if meters are found upon test to register fast and if time for periodic test has overrun to the extent that one-half (1/2) of the time elapsed since the last previous test exceeds twelve (12) months, the refund shall be for the twelve (12) months as specified in subsection (2) of this section and in addition thereto, a like refund for those months exceeding the periodic test period; provided, however, that the commission may relieve the utility from this requirement in any particular case in which it is shown that the failure to make the periodic test was due to causes beyond the utility's control.

(6) Each utility shall make a reasonable attempt to determine if the amount of consumption for the current billing period for each customer is unduly excessive. If a comparison of consumption indicates a necessity therefor, a test of the customer's meter shall be made, and if the meter is found to register incorrectly to the customer's prejudice more than two percent (2%), the utility shall recalculate the customer's bills in accordance with the foregoing provisions.

(7) When a meter is tested and it is found necessary to make a refund or back bill a customer, the customer shall be notified in substantially the following form:

On _____, 19____, the meter bearing identification No. _____ installed in your building located at _____ (Street and Number) in _____ (City) was tested at _____ (On premises or elsewhere) and found to register _____ (Percent fast or slow) on _____ test. (Periodic, Request, Complaint)

Based upon this we herewith _____ you with the sum of \$_____, which amount has been noted on your regular bill.

Section 10. Customer's Discontinuance of Service. (1) Any customer desiring service discontinued or changed from one address to another shall give the utility three (3) days' notice in person or in writing, provided such notice does not violate contractual obligations.

(2) Upon request that service be reconnected at any premises subsequent to the initial installation or connection to its service lines, the utility may, subject to subsection (3) of this section, charge the applicant an amount not to exceed the actual average cost as approved by this commission of making such reconnection.

(3) Any utility desiring to establish a reconnection charge under the provisions of subsection (2) above, shall submit for commission approval a formal application setting out (a) the actual average cost of making such reconnections, and (b) the effect of such charges on the utility's revenues.

Section 11. Discontinuance of Service. (1) The utility may refuse or discontinue to serve an applicant or customer under the following conditions:

- (a) For noncompliance with its rules and regulations. However, no utility shall discontinue or refuse service to any customer or applicant for violation of its rules or regulations without first having made a reasonable effort to induce the customer or applicant to comply with its rules and regulations as filed with the commission. After such effort on the part of the utility, service may be discontinued or refused only after the customer shall have been given at least forty-eight (48) hours written notice of such intention, mailed to his last known address.
- (b) When a dangerous condition is found to exist on the customer's or applicant's premises, the service may be cut off without notice or refused, provided that the utility shall notify the customer or applicant immediately of the reasons for the discontinuance or refusal and the corrective action to be taken by the applicant or customer before service can be restored.
- (c) When a customer or applicant refuses or neglects to provide reasonable access to the premises for the purpose of installation, operation, meter reading, maintenance or removal of utility property the utility may discontinue or refuse service only after the customer or applicant shall have been given at least fifteen (15) days' written notice of such intention.
- (d) A utility shall not be required to furnish service to any applicant or customer when such applicant or customer is indebted to the utility for service furnished until such applicant or customer shall have paid such indebtedness.
- (e) A utility may refuse or discontinue service to a customer or applicant if the customer or applicant does not comply with state, municipal or other codes, rules and regulations applying to such service.

(2) The utility may discontinue service under the following conditions:

- (a) For nonpayment of bills. However, no utility shall discontinue service to any customer for nonpayment of bills (including delayed charges) without first having made a reasonable effort to induce the customer to pay same. The customer shall be given at least forty-eight (48) hours written notice, but the cut-off shall not be effected before twenty (20) days after the mailing date of the original bill. If, prior to discontinuance of service, there is delivered to the utility, or to its employee empowered to discontinue service a written certificate signed by a physician, a registered nurse or a public health officer that, in the opinion of the certifier discontinuance of service will aggravate an existing illness or infirmity on the affected premises, service shall not be discontinued until the affected resident can make other living arrangements or until ten (10) days elapse from the time of the utility's receipt of said certification, whichever first occurs. [prior to discontinuance of service and the burden shall be on the utility to show the date and time of the receipt of the written notice by the customer. In any event service shall not be discontinued before twenty (20) days after the mailing date of the original bill. Service shall not be discontinued if there are reasonable grounds to believe that such discontinuance will, under the circumstances, endanger human life, or constitute a serious threat to human health.]
- (b) For fraudulent or illegal use of service. When the utility has discovered evidence that by fraudulent or illegal means a customer has obtained unauthorized service or has diverted the service for unauthorized use or has obtained service without same being properly measured, the service to the customer may be discontinued without notice. The utility shall not be required to restore service until the customer has complied with all rules of the utility and regulations of the commission and the utility has been reimbursed for the estimated amount of the service rendered and the cost to the utility incurred by reason of the fraudulent use.

(3) It shall be the duty of the utility before making service connections to a new customer to ascertain the condition of the meter and service facilities for such customer in order that prior fraudulent use of the facilities, if any, will not be attributed to the new customer, and the new customer shall be afforded the opportunity to be present at such inspection. The utility shall not be required to render service to such customer until all defects in the customer-owned portion of the service, if any, shall have been corrected.

(4) **Reconnection.** For all cases of refusal or discontinuance of service as herein defined, where the cause for refusal or discontinuance has been corrected and all rules and regulations of the utility and the commission have been complied with, the utility shall promptly render service to the customer or applicant.

(5) When advance notice is required, such notice may be given by the utility by mailing by U. S. mail, postage prepaid, to the last known address of the applicant or customer.

Section 12. Special Charges. (1) A utility may make a reasonable charge for each of the following trips:

- (a) To read a meter when the customer has failed to read the meter for three (3) consecutive billing periods. This pertains only to those utilities whose customers ordinarily read their own meters.
- (b) To collect a delinquent bill. This trip may be made only after written notice has been sent to the customer stating that if the bill is not paid by a certain date, the service will be disconnected.
- (c) To reconnect a service that has been disconnected for nonpayment of bills or for violation of the utility's rules and regulations. This charge may include the cost of disconnecting the service.

(2) The charges, however, shall be applied uniformly throughout the entire area served by the utility, shall be incorporated in the utility's rules and regulations, shall be subject to the approval of the commission, and shall yield only enough revenue to pay the expenses incurred in rendering these services.

Section 13. Meter Testing. (1) All electric, gas and water utilities furnishing metered service shall provide meter standards and test facilities as more specifically set out under PSC Elec-1, PSC Gas-1, and PSC Water-1.

(2) A utility may have all or part of its testing of meters performed by another utility or agency approved by the commission for such purpose. Each utility having tests made by another agency or utility shall notify the commission of said arrangements in detail to include make, type and serial number of standards used to make said checks or tests.

(3) No utility shall place in service any basic measurement standard required by these rules unless it has been calibrated by the Public Service Commission's Meter Standards Laboratory. All utilities or agencies making tests or checks for utility purposes shall notify the commission promptly of the adoption or deletion of any basic standards requiring calibration by the commission.

(4) Each electric, gas and water utility or agency doing meter testing for a utility shall have in its employ metermen certified by this commission. These certified metermen shall perform such tests as may be necessary to determine the accuracy of the utility's meters and to adjust the utility's meters to the degree of accuracy required by the regulations of the commission.

(5) A utility or agency desiring to have its employees certified as metermen shall submit the names on the commission's form entitled "Application for Appointment of Metermen" and after compliance with the requirements as noted in this form, the applicant may be certified as a meterman and furnished with a card authorizing him to perform meter tests.

Section 14. Access to Property. The utility shall at all reasonable hours have access to meters, service connections and other property owned by it and located on customer's premises for purposes of installation, maintenance, meter reading, operation or removal of its property at the time service is to be terminated. Any employee of the utility whose duties require him to enter the customer's premises shall wear a distinguishing uniform or other insignia, identifying him as an employee of the utility, or carry on his person a badge or other identification which will identify him as an employee of the utility, the same to be shown by him upon request.

Section 15. Meter Test Records. (1) (a) **Test Cards.** A complete record of all meter tests and adjustments and data sufficient to allow checking of test calculations shall be recorded by the meterman. Such record shall include: Information to identify the unit and its location; the date of tests; the reason for such tests; readings before and after the test; a statement of "as found" and "as left" accuracies sufficiently complete to permit checking of the calculations employed; indications showing that all required checks have been made; a statement of repairs made, if any; the identifying number of the meter; the type and capacity of the meter; and the constant of the meter. (b) The complete record of tests of each meter shall be continuous at least two (2) periodic tests and in no case less than two (2) years.

(2) (a) **History Cards.** Each utility shall keep numerically arranged and properly classified card records giving for each meter owned and used by the utility for any purpose the identification number, date of purchase, name of manufacturer, serial number, type, rating, and the name and address of each customer on whose premises the meter has been in service with date of installation and removal. These card records shall also give condensed information concerning all tests and adjustments including dates and general results of such adjustments. The card records shall be of such character that a system can be used that will record the date of the last test and indicate the proper date for the next periodic test required by the applicable regulation of the commission. (b) When the records required above are kept in a readily available form posting to the history card is not necessary.

(3) **Sealing of Meters.** Upon completion of adjustment and test of any meter under the provisions of the regulations of the commission, the utility shall affix thereto a suitable seal in such a manner that adjustments or registration of the meter cannot be tampered with without breaking the seal. The seal shall be of a type acceptable to the commission.

Section 16. Pole Identification. (1) Each utility owning poles or other structures supporting the company's wires, shall mark every pole or structure located within a built up

community with the initials or other distinguishing mark by which the owner of every such structure may be readily determined. For the purpose of this rule the term "built up community" shall mean urban areas and those areas immediately adjacent thereto.

(2) Identification marks may be of any type but must be of a permanent material and shall be of such size and so spaced and hereafter maintained so as to be easily read from the surface of the ground at a distance of six (6) feet from the structure.

(3) When utilities structures are located outside of a built-up community only every tenth structure need be so marked.

(4) All junction structures shall bear the identification mark and structure number of the owner.

(5) Poles need not be marked if they are clearly and unmistakably identifiable as the property of the utility.

(6) Each utility shall either number their structures and maintain a numbering system or use some other method of identification so that each structure in the system may be easily identified.

(7) The requirements herein shall apply to all existing structures and those hereafter erected and to all changes in ownership.

Section 17. System Maps and Records. (1) Each utility shall have on file at its principal office located within the state and shall file upon request with the commission a map or maps of suitable scale of the general territory it serves or holds itself ready to serve showing the following:

- Operating districts.
- Rate districts.
- Communities served.
- Location and size of transmission lines, distribution lines and service connections.
- Location and layout of all principal items of plant.
- The date of construction of all items of plant by year and month.

(2) In each division or district office there shall be available such information relative to the utility's system as will enable the local representative to furnish necessary information regarding the rendering of service to existing and prospective customers.

(3) In lieu of showing the above information on maps a card record or suitable means may be used. For all construction the records shall also show the date of construction by month and year.

Section 18. Location of Records. All records required by the regulations of the commission shall be kept in the principal office of the utility or other acceptable safe storage place, and shall be made available to representatives, agents or employees of the commission upon reasonable notice and at all reasonable hours.

Section 19. Request Tests. Each utility shall make a test of any meter upon written request of any customer provided such request is not made more frequently than once each twelve (12) months. The customer shall be given the opportunity of being present at such request tests. If such tests show that the meter was not more than two percent (2%) fast, the utility may make a reasonable charge for the test, the amount of such charge to be set out in the utility's rules and regulations filed with the commission, and subject to the approval of the commission.

Section 20. Complaint Tests. (1) Any customer of the utility may request a meter test by written application to the commission accompanied by payment of such fee for the test as prescribed below. Such request may not be made more frequently than once each twelve (12) months. Upon receipt of such request, the commission will notify the utility to leave the customer's meter in place until completion of such test.

(2) If a meter tested upon complaint of a customer is found to register not more than two percent (2%) fast, the cost of such test shall be borne by the customer. However, if the meter shall be found to register more than two percent (2%) fast, the cost of such test shall be borne by the utility and the amount of the deposit made by the customer shall be refunded.

(3) The charges fixed by the commission for making such tests are as follows:

- Electric. Direct current and single phase alternating current watt hour meters operating on circuits of not more than 250 volts:

Amperes Rated Capacity	Fee
30 and under	\$ 2
Over 30 to 100	4
Each additional 50 amperes or factor thereof	1

Polyphase a.c. watt hour meters and single phase or direct current watt hour meters operating on circuits of over 250 volts with or without instrument transformers:

Kilowatts Rated Capacity	Fee
5 KW and under	\$ 2
Over 5 to 25	4
Over 25 to 100	8
Over 100 to 500	16

Plus one-half of the cost of transportation of the

commission representative between the office of the commission and the point of test.

- Gas. Displacement type meters operating on distribution system pressures:

Capacity in Cu. Ft. Per Hour	Fee
1000 cu. ft. per hour and under	\$ 4
Over 1000 to 10,000	8
Over 10,000 to 100,000	12

Plus one-half of the cost of transportation of the commission representative between the office of the commission and the point of test.

- Water.

Size	Fee
Outlet 1 inch or less	\$ 4
Outlet over 1 inch to 2 inches	6
Outlet over 2 inch to 3 inches	8
Outlet over 3 inch to 4 inches	10

Plus one-half of the cost of transportation of the commission's representative between the office of the commission and the point of test.

- For meters of a size or capacity not shown herein, the commission will fix a suitable fee upon application.

Section 21. Safety Program. (1) Each utility shall adopt and execute a safety program, fitted to the size and type of its operations. As a minimum, the safety program shall:

- Require employees to use suitable tools and equipment in order that they may perform their work in a safe manner.
- Instruct employees in safe methods of performing their work.
- Instruct employees who, in the course of their work are subject to the hazard of electrical shock, asphyxiation or drowning, in accepted methods of artificial respiration.

Section 22. Inspection of Systems. (1) Each utility shall adopt procedures for inspection to assure safe and adequate operation of its facilities and compliance with Public Service Commission rules. These procedures shall be filed with the commission.

(2) Each electric utility shall make systematic inspections of its system in the manner set out below for the purpose of insuring that the commission's safety requirements are being met. Such inspections shall be made as often as necessary but in no event less frequently than is set forth below for various classes of facilities and types of inspection.

- At intervals not to exceed six (6) months:
 - Production facilities regularly operated and manned; continuous surveillance, monitoring and inspection as a part of operating procedure.
 - Unmanned production facilities including peaking units not on standby status; units shall be operated and inspected and all monitoring devices shall be checked to determine that there is no evidence of abnormality.
 - Substations where the primary voltage is 69 KV or greater; examination for the purpose of discovering damage to or deterioration of components including structures and fences; checking of all gauges and monitoring devices.
 - Underground network transformers and network protectors in vaults located in buildings or under sidewalks, examination for leaks, condition of case, connections, temperature and overloading.
 - Electric lines operating at 69 KV or greater (including insulators, conductors and supporting facilities).
- At intervals not to exceed one (1) year:
 - Production facilities maintained on a standby status; also inspection and examination prior to any start up, except remotely controlled facilities.
 - Substations where the primary voltage is less than 69 KV but is 15 KV or greater.
- At intervals not to exceed two (2) years:
 - Electric lines operating at voltages of less than 69 KV (including insulators, conductors and supporting facilities).
- Other Facilities:
 - Utility buildings inspected for compliance with safety codes at intervals not greater than one (1) year.
 - Construction equipment inspected for defects, wear and operational hazards at intervals not greater than quarterly.
- On the receipt of a report of a potentially hazardous condition made by a qualified employee or public official or by a customer:
 - All portions of the system (including those listed above) which are the subject of the report.
 - Appropriate records shall be kept by each utility to identify the inspections made, deficiencies found and action taken to correct such deficiencies.

(3) Each gas utility shall make systematic inspections of its system for the purpose of insuring that the commission's safety requirements are being met. Such inspections shall be

made as often as necessary but in no event less frequently than is prescribed or recommended in the Department of Transportation, Part 192 Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards, for the various classes of facilities as defined in said standards, in accordance with the inspection procedures described therein.

(4) The following maximum time intervals are prescribed for (i) certain inspections provided for in Department of Transportation, Part 192 Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards, with respect to which intervals are not specified and (ii) certain additional inspections not provided for in such code.

- (a) At intervals not to exceed one (1) year:
 1. Production wells, storage wells and well equipment; visual inspection and examination of all exterior components.
 2. Pressure limiting stations, relief devices and pressure regulating stations, including vaults.
 3. The curb box on service shall be inspected for accessibility.
- (b) Other Facilities:
 1. Utility buildings inspected for compliance with safety codes at least annually.
 2. Construction equipment inspected for defects, wear and operational hazards at least quarterly.
- (c) At intervals not to exceed the periodic meter test intervals:
 1. Individual residential customer service regulators, vents and relief valve vents shall be checked for satisfactory operation.
- (d) At intervals of meter change:
 1. The curb box on service shall be inspected for operable condition.
- (e) On the receipt of a report of a potentially hazardous condition made by a qualified employee or public official or by a customer:
 1. All portions of the system (including those listed above) which are the subject of the report.
 2. Appropriate records shall be kept by each utility to identify the inspections made, deficiencies found and action taken to correct such deficiencies.

(5) (a) Each telephone utility shall make systematic inspections of its system in the manner set out below for the purpose of insuring that the commission's safety requirements are being met. Such inspections shall be made as often as necessary but in no event less frequently than is set forth below for various classes of facilities and types of inspection.

1. Aerial plant: Inspection for electrical hazards, proper clearance for electric facilities and climbing safety - Every two (2) years.
2. Underground plant: Inspection for presence of gas, proper clearance from electric facilities and safe working conditions - At least annually.
3. Station equipment and connections: Inspection for external electrical hazards, damaged instruments or wiring, appropriate protection from lightning and safe location of equipment and wiring - When on customer's premises.
4. Utility buildings: Inspection for compliance with safety codes - At least annually.
5. Construction equipment: Inspection for defects, wear and operational hazards - At least quarterly.

- (b) On the receipt of a report of a potentially hazardous condition made by a qualified employee or public official or by a customer:
 1. All portions of the system (including those listed above) which are the subject of the report.
 2. Appropriate records shall be kept by each utility to identify the inspections made, deficiencies found and action taken to correct such deficiencies.

(6) (a) Each water utility shall make systematic inspections of its system in the manner set out below for the purpose of insuring that the commission's safety requirements are being met. Such inspections shall be made as often as necessary but in no event less frequently than is set forth below for various classes of facilities and types of inspection.

1. Source of Supply:
 - a. Dams, physical and structural, annually.
 - b. Intake structures, physical and structural, annually.
 - c. Traveling screens, physical and structural and safety of operation, annually.
2. Purification:
 - a. Sedimentation basins filters and clear wells, physical and structural and safety of operation, annually.
 - b. Chemical feed equipment, for proper and safe operation, annually.
 - c. Pumping equipment including electric power wiring and controls, for proper and safe operation, annually.
 - d. Hydrants, for proper and safe operation, annually.
 - e. Utility buildings, inspection for compliance with safety codes, annually.
 - f. Construction equipment, inspection for defects, wear and operational hazards, quarterly.
 - g. Mains and valves, leaks, annually.

- (b) On the receipt of a report of a potentially hazardous condition made by a qualified employee or public official or by a customer:

1. All portions of the system (including those listed above which are the subject of the report.
2. Appropriate records shall be kept by each utility to

identify the inspections made, deficiencies found and action taken to correct such deficiencies.

Section 23. Reporting of Accidents. Each utility shall notify the commission of any accident which results in death or serious injury to any person or substantial property damage. Prompt notice of fatal accidents shall be given to the commission by telephone or telegraph.

Section 24. Deviations from Rules. In special cases, for good cause shown, the commission may permit deviations from these rules.

WILLIAM A. LOGAN, Chairman

ADOPTED: April 11, 1975

APPROVED:

ELIJAH H. HOGGE, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:31 a.m.

PUBLIC PROTECTION AND REGULATION CABINET
Public Service Commission
(807 KAR 2:025)
(Proposed Amendment)

RELATES TO: KRS Chapter 278

PURSUANT TO: KRS 278.280(2), 13.082

SUPERSEDES: PSC:Gas-1

NECESSITY AND FUNCTION: KRS 278.280(2) provides that the commission shall prescribe rules for the performance of any service or the furnishing of any commodity by any utility. This regulation establishes general rules which apply to gas utilities.

Section 1. General. (1) The purpose of this regulation is to provide standard rules governing the service of gas utilities operating under the jurisdiction of the Public Service Commission of Kentucky.

(2) Utilities serving customers under KRS 278.485 or other retail customers, under the jurisdiction of this commission, directly from transmission or gathering lines are exempt from Sections 6, 7, 8, 9, 10, 12, 14, 15, 16, and 17 of this regulation insofar as they apply to these customers.

(3) Each utility shall make all reasonable efforts to prevent interruptions of service and when such interruptions occur shall endeavor to re-establish service with the shortest possible delay consistent with the safety of its consumers and the general public. Planned interruptions shall always be preceded by adequate notice to all affected customers.

(4) (a) Every utility transmitting gas by any pipeline intended to be subjected to pressures in excess of 100 psig shall:

1. Within ninety (90) days from the date of the effective date of this regulation file with the Public Service Commission a report setting forth the respects in which such pipeline and its appurtenances conform or do not conform, as the case may be, to the standards, requirements and safeguards enumerated in these rules. Such statement shall be based upon records of the utility, including records of tests, specifications or other available data, and upon current investigations and surveys, not requiring excavation or interruption of service.
2. In each instance where any gas corporation required by subparagraph 1. to file a report claims that it is not possible or practicable to obtain the necessary data to prepare the same, a report setting forth such claim shall nevertheless be filed within the period required by subparagraph 1., and the basis for such claim shall be set forth in such verified statement.
3. In each instance in which the report required to be filed by this section states that any portion of such pipeline or its appurtenances does not conform to the standards, requirements and safeguards enumerated in these rules or that it is not possible or practicable to obtain the necessary data to prepare such a statement, the report shall state whether or not in the opinion of the person preparing the report, such portion of pipeline and its appurtenances is in safe operating condition.
- (b) In each instance where it is stated that such pipeline or its appurtenances or any portion thereof is in safe operating condition, the basis for such statement shall be set forth including the operating conditions under which the opinion is expressed, and such report may be accompanied by an application of the gas corporation to the Public Service Commission for an exemption from the application of the rules herein enumerated.

Section 2. Definitions. (1) Meter. The word "meter" shall be construed to mean any device used for the purpose of measuring the quantity of gas delivered by a utility to a customer.

(2) Transmission Line. "Transmission line" means a pipeline other than a gathering line that:

- (a) transports gas from a gathering line or storage facility;
- (b) operates at a hoop stress of twenty percent (20%) or more of SMYS; or
- (c) transports gas within a storage field.

(3) Distribution Line. "Distribution line" means a pipeline other than a gathering line or transmission line.

(4) Service Line. The term "service line" shall be construed to mean the line from the property line to the place of consumption.

(5) Service Connection. The term "service connection" shall be construed to mean the line from the main to the customer's property line, and shall include all of the pipe fittings and valves necessary to make the connection.

(6) The term "cubic foot of gas" as used in these rules shall have the following meanings:

- (a) In cases where gas is supplied and metered to customers at the standard distribution pressure, a cubic foot of gas shall be defined to be the volume of gas which, at the temperature and pressure existing in the meter, occupies one (1) cubic foot.
- (b) In cases where gas is supplied to customers through orifice or positive displacement meters at other than standard distribution pressure a cubic foot of gas shall be defined to be that volume of gas which, at 60°F. and at absolute pressure of 14.73 pounds per square inch, (30 inches of mercury), occupies one (1) cubic foot; except that in cases where different bases that are considered by the commission to be fair and reasonable are provided for in gas sales contracts or in rules or practices of a utility, such different bases shall be effective.
- (c) The standard cubic foot of gas for testing the gas itself for heating value, shall be that volume of gas which, when saturated with water vapor and at a temperature of 60° F., and under a pressure equivalent to that of thirty (30) inches of mercury (mercury at 32°F., and under standard gravity) occupies one (1) cubic foot.
- (7) The term "British thermal unit" shall mean the quantity of heat required to raise the temperature of one (1) pound of water 1°F.
- (8) The term "therm" shall mean a unit of heating value equivalent to 100,000 British thermal units.

Section 3. Construction Standards. (1) The following publications and codes are hereby adopted, and filed by reference, as standards of accepted good practice to be followed by all utilities under the jurisdiction of the Public Service Commission of Kentucky except when such codes or publications conflict with the regulations of this commission.

- (a) The commission being certified and financed by the Office of Pipeline Safety, Department of Transportation, hereby adopts the "Minimum Federal Safety Standards, Title 49 CFR Part 192", as published in the Federal Register on August 19, 1970, (35 F.R. 13247) and subsequent amendments as Minimum Gas Safety Standards for the Public Service Commission of Kentucky. The said Federal Minimum Standards shall apply except where the rules adopted by this commission are more stringent than and not inconsistent with the federal standards. Nothing contained in these standards, however, shall prevent the commission from adopting, after due notice and hearing, additional or more stringent standards for intrastate gas facilities now under the commission's jurisdiction, provided that such standards are not inconsistent with the federal standards.
- (b) National Fire Protection Association Standard No. 54, "National Fuel Gas Code" 1974 edition as published by the National Fire Protection Association, 470 Atlantic Avenue, Boston, Mass. 02210.
- (c) National Fire Protection Association Standard No. 59, "LP Gases At Utility Gas Plants" 1974 edition as published by the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210.
- (d) "Standard Methods of Gas Testing", Circular No. 48, National Bureau of Standards, 1916.
- (e) "Testing Large Capacity Rotary Gas Meters", Research Paper No. 1741, National Bureau of Standards Journal of Research, September 1946.
- (f) "Standard Method Test for Calorific Value of Gaseous Fuels by the Water-flow Calorimeter", American Society for Testing Materials, Standard D 900-55, 1964 edition as published by the American Society for Testing Materials, 1916 Race Street, Philadelphia, Pennsylvania.
- (2) Reports and Records of Proposed Construction:
 - (a) At least thirty (30) days prior to the construction or major reconstruction of any gas pipeline intended to be subjected to pressure in excess of 100 psig, or twenty percent (20%) of minimum yield strength, whichever is lower, a report shall be filed with the Public Service Commission setting forth the specifications for such pipeline and the maximum allowable operating pressure.
 - (b) Every gas utility shall, on the 15th day of each month, submit a report to the Public Service Commission setting forth the progress of such construction or major reconstruction as of the end of the preceding month.
 - (c) Before any gas pipeline or main is placed in operation intended to be subjected to pressures in excess of 100 psig, or twenty percent (20%) of minimum yield strength, whichever is lower, a report shall be filed with the Public Service Commission certifying the maximum pressure to which the line is intended to be subject and also certifying that the pipeline has been constructed and tested in accordance with the requirements of the rules herein pre-

scribed, and a further report shall be filed within sixty (60) days thereafter including the results of all tests made pursuant thereto. No gas pipeline or main shall be operated at pressures in excess of the pressure for which it was certified to the Public Service Commission.

- (d) The responsibility for the maintenance of necessary records to establish that compliance with these rules and regulations has been accomplished rests with the utility. Such records shall be available for inspection at all times by the commission or the commission's staff.

(3) The Minimum Federal Safety Standards, Title 49 CFR Part 192, as published in the Federal Register on August 19, 1970, (35 F.R. 13247) and subsequent amendments being the presently effective code the commission hereby adopts the following modifications and changes thereto:

- (a) To 192.163 add: (The following is numbered in accordance with Title 49 CFR Part 192.)
- "(f) Air Piping System:
- "(1) All air piping within gas compressing stations shall be constructed in accordance with Section 2 of the USAS B31.1 Code for Pressure Piping.
- "(2) The starting air pressure, storage volume, and size of connecting piping shall be adequate to rotate the engine at the cranking speed and for the number of revolutions necessary to purge the fuel gas from the power cylinder and muffler. The recommendations of the engine manufacturer may be used as a guide in determining these factors. Consideration should be given to the number of engines installed and to the possibility of having to start several of these engines within a short period time.
- "(3) A check valve shall be installed in the starting air line near each engine to prevent backflow from the engine into the air piping system. A check valve shall also be placed in the main air line on the immediate outlet side of the air tank or tanks. It is recommended that equipment for cooling the air and removing the moisture and entrained oil be installed between the starting air compressor and the air storage tanks.
- "(4) Suitable provision shall be made to prevent starting air from entering the power cylinders of an engine and activating moving parts while work is in progress on the engine or on equipment driven by the engines. Acceptable means of accomplishing this are installation of a blind flange, removal of a portion of the air supply piping or locking closed a stop valve and locking open a vent downstream from it.
- "(g) Air Receivers. Air receivers or air storage bottles, for use in compressor stations, shall be constructed and equipped in accordance with Section VIII, Unfired Pressure Vessels, of the ASME Boiler and Pressure Vessel Code.
- "(h) Lubricating Oil Piping. All lubricating oil piping with gas compressing stations shall be constructed in accordance with USA Standard Code for Pressure Piping, Petroleum Refinery Piping, USAS B31.3.
- "(i) Water and Steam Piping. All water and steam piping within gas compressing stations shall be constructed in accordance with USA Standard Code for Pressure Piping, Power Piping, USAS B31.1.0.
- "(j) Hydraulic Piping. All hydraulic power piping within gas compressing stations shall be constructed in accordance with USA Standard Code for Pressure Piping, Petroleum Refinery Piping, USAS B31.3."
- (b) To 192.167 add: "(c) All emergency valves and controls shall be identified by signs. All important gas pressure piping shall be identified by signs or color codes as to their function."
- (c) To 192.171 add: "(f) All fuel gas lines within a compressor station, serving the various buildings and residential areas, shall be provided with master shutoff valves located outside of any building or residential area."
- (d) To 192.183 add: "(d) Vault or pit openings shall be located so as to minimize the hazards of tools or other objects falling upon the regulator, piping or other equipment. The control piping and the operating parts of the equipment installed shall not be located under a vault or pit opening where workmen can step on them when entering or leaving the vault or pit, unless such parts are suitably protected."
- "(e) Whenever a vault or pit opening is to be located above equipment which could be damaged by a falling cover, a circular cover should be installed or other suitable precautions taken."
- (e) To 192.243(d) delete (3), renumbering 4 to 5, and add:
- "(3) In class 3 locations, 100 percent if practicable, but not less than 90 percent.
- "(4) In class 4 locations and within 500 feet of buildings intended for human occupancy, 100 percent."
- (f) To 192.279 add: "Copper pipe shall be joined by using either a compression type coupling or a brazed or soldered lap joint. The fillet material used for brazing shall be a copper-phosphorous alloy or silver base alloy. Butt welds are not permissible for joining copper pipe or tubing. Connections using a copper or cast bronze service line tee or extension fitting sweat-brazed to the copper main, are recommended for service line connections to copper mains."

- (g) To 192.305 add: "The inspector shall have authority to order the removal and replacement of any section that fails to meet the standards of this code."
- (h) To 192.307 add: "Plastic pipe and tubing shall be adequately supported during storage and thermoplastic pipe, tubing and fittings shall be protected from long term exposure to direct sunlight."
- (i) To 192.321 add to (a): "...and shall conform to the applicable provisions of 192.327 except that plastic pipelines and mains shall be installed with a minimum cover of 24 inches at all stress levels."
- (j) To 192.357(b) delete and add: "(b) The use of standard weight close (all thread) nipples is prohibited."
- (k) To 192.361 add: "(g) Joining of Service Lines. All underground steel service lines shall be jointed by threaded and coupled joints, compression type fillings, or by qualified welding or brazing methods, procedures and operators."
- "(h) When coated steel pipe is to be installed as a service line in a bore, care shall be exercised to prevent damage to the coating during installation. For all installations to be made by boring, driving, or similar methods or in a rocky type soil, the following practices or their equivalents are recommended.
- "(1) The coated pipe should not be used as the bore pipe or drive pipe and left in the ground as part of the service line. It is preferable to make such installations by first making an average bore, removing the pipe used for boring and then inserting the coated pipe.
- "(2) Coated steel pipe preferably should not be inserted through a bore in exceptionally rocky soil when there is a likelihood of damage to the coating resulting from the insertion.
- "(3) The recommendations in 1 and 2 do not apply where coated pipe is installed under conditions where the coating is not likely to be damaged, such as in sandy soil."
- (1) To 192.467(f) add: "A study must be made in collaboration with the electric company on the common problems of corrosion and electrolysis taking the following factors into consideration:
- "(1) The possibility of the pipeline carrying either unbalanced line currents or fault currents.
- "(2) The possibility of lightning or fault currents inducing voltages sufficient to puncture pipe coatings or pipe.
- "(3) Cathodic protection of the pipeline, including location of ground beds, especially if the electric line is carried on steel towers.
- "(4) Bonding connections between the pipeline and either the steel tower footings or the buried ground facilities or the ground-wire of the overhead electric system."
- [(m) To 192.5 delete entirely and add: "192.5 Class Locations: (a) Class location is determined by applying the criteria set forth in this section. Two population density indexes, determined at the time of initial construction, are used to classify locations for design and testing purposes.]
- ["(1) The one-mile density index, which applies to any specific mile of pipeline; and (2) the ten-mile density index, which applies to any specific ten-mile length of pipeline]
- ["To determine the one-mile density indexes for a proposed pipeline, lay out a zone one-half mile wide along the route of the pipeline with the pipeline on the center line of this zone. Divide the zone into lengths, each containing one mile of pipeline. Count the number of buildings intended for human occupancy in each of these lengths. These numbers are the one-mile indexes for the pipeline.]
- ["To determine the ten-mile density indexes for any given ten-mile length of pipeline, proceed as follows: Add the one-mile density indexes for the ten-mile section. In case a one-mile index equals or exceeds 20, it is to be included in the sum as 20. Divide the sum thus obtained by 10. The quotient is the ten-mile density index for the section.]
- ["For the purposes of this section, each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy."
- "(b) Class 1 Locations: Class 1 locations include waste lands, deserts, rugged mountains, grazing land, farm land, and combinations of these; provided however, that:]
- "(1) The ten-mile density index for any section of line does not exceed 5.]
- "(2) The one-mile density index for any one mile of line does not exceed 10."]
- "(c) Class 2 Locations: Class 2 locations include areas where the degree of development is intermediate between Class 1 locations and Class 3 locations. Fringe areas around cities and towns, and farm or industrial areas where the one-mile density index

exceeds 10 or the ten-mile density index exceeds 5 fall within this location class."]

- ["(d) Class 3 Locations: Class 3 locations include areas legally subdivided for residential or commercial purposes where a Class 4 classification is not called for and any area where the pipeline lines within 100 yards of a building or well-defined outside area that is occupied by 20 or more persons during normal use, such as a playground, recreation area, outdoor theater, or other place of public assembly."]
- ["(e) Class 4 Locations: Class 4 locations include each city and incorporated village and the adjacent areas in which there is a substantially equivalent population density or in which a significant increase in population density can reasonably be expected.]
- ["(f) The boundaries of the class locations determined in accordance with paragraphs (a) through (e) of this section may be adjusted as follows:]
- ["(1) A Class 4 location ends 440 yards from the nearest building within a class four location.]
- ["(2) When a cluster of buildings intended for human occupancy requires a Class 3 location, the Class 3 location ends 440 yards from the nearest building in the cluster.]
- ["(3) When a cluster of buildings intended for human occupancy requires a Class 2 location, the Class 2 location ends 440 yards from the nearest building in the cluster."]
- ["(n) [(n)] To 192.503 delete (c) and add: "(c) Except as provided in 192.505(a), if air is used as the test medium, the following maximum hoop stress limitations apply:

Maximum Hoop Stress Permissible During Test

Location Class	Percent of Specified Minimum Yield			
	1	2	3	4
Test Medium Air	75	75	50	40

- ["(n) [(o)] To 192.505 delete entirely and add: "192.505 Strength test requirements for steel pipeline to operate at a hoop stress of 30 percent or more of SMYS:
- "(a) Except for service lines, each segment of a steel pipeline that is to operate at a hoop stress of 30 percent or more of SMYS must be strength tested in accordance with this section to substantiate the proposed maximum allowable operating pressure. In Class 1 locations, pipelines shall be tested to 1.25 times the maximum operating pressure and in Class 2 locations pipelines shall be tested to 1.50 times the maximum operating pressure. The test medium may be either air or water except that if there is a building intended for human occupancy within 300 feet of the pipeline water must be used as the test media while the hoop stress exceeds 50 percent of SMYS unless the buildings are evacuated during the test. Pipelines and mains in Class 3 and 4 locations shall be tested hydrostatically to a pressure not less than 1.50 times the maximum operating pressure.
- "(b) In a Class 1 or Class 2 location, each compressor station, regulator station, and measuring station, must be tested to at least Class 3 location test requirements.
- "(c) Test pressure shall be maintained until the pressure has stabilized as far as possible in all portions of the test sections giving due consideration to changes in ambient temperatures. In no event shall the duration of the test be less than 24 hours following such stabilization except that, in the case of a length of pipeline, main or piping which has not been backfilled prior to the test where, throughout its entire length, its entire circumference can be readily examined visually for the detection of leakage, the duration of the test shall be not less than 4 hours following such stabilization.
- "(d) Where water is utilized as the test medium, adequate provisions shall be made for disposal of the water and steps shall be taken to guard against contamination.
- "(e) Requirements for hydrostatic testing of mains and pipelines in Class locations 3 and 4 do not apply if at the time the pipeline or main is first ready for test the ground temperature at pipe depth is 32°F or less, or might fall to that temperature before the hydrostatic test could be completed. In such cases an air test to 1.50 times the maximum operating pressure shall be made. Precautions shall be taken to protect the public.
- "(f) Other provisions of these rules notwithstanding, pipelines and mains crossing highways and railroads may be tested in each case in the same manner and to the same pressure as the pipelines on each side of the crossing.
- "(g) If a component other than pipe is the only item being replaced or added to a pipeline, a strength test after installation is not required, if the manufacturer of the component certifies that:
- "(1) The component was tested to at least the pressure required for the pipeline to which it is being added; or

- "(2) The component was manufactured under a quality control system that ensures that each item manufactured is at least equal in strength to a prototype and that the prototype was tested to at least the pressure required for the pipeline to which it is being added.
- "(h) For fabricated units and short sections of pipe, for which a post installation test is impractical, a pre-installation strength test must be conducted by maintaining the pressure at or above the test pressure for at least 4 hours."
- (o) [(p)] To 192.507 delete entirely and add: "192.507 Except for service lines and plastic pipelines, each segment of a pipeline that is to be operated at a hoop stress less than 30 percent of SMYS and above 100 psig must be tested in accordance with the following table except that air may be used as the test medium within the maximum limits set in 192.503(c).

Test Requirements for Pipelines and Mains to Operate at Hoop Stresses of 30% or less of the Specified Minimum Yield Strength of the Pipe and above 100 psig

1 Location Class	2 Permissible Test Fluid	3 Prescribed Test Pressure Minimum	4 Maximum
1	Water Air	1.25 x m.o.p. 1.25 x m.o.p.	None 1.25 x d.p.
2	Water Air	1.50 x m.o.p. 1.50 x m.o.p.	None 1.25 x d.p.
3	Water	1.50 x m.o.p.	None
4	Water	1.50 x m.o.p.	None
	m.o.p. d.p.	- -	maximum operation pressure design pressure

- "(a) The pipeline operator must use a test procedure that will insure discovery of all potentially hazardous leaks in the segment being tested.
- "(b) If during the test, the segment is to be stressed to 20 percent or more of SMYS and air is the test medium:
- "(1) A leak test must be made at a pressure between 100 psig and the pressure required to produce a hoop stress of 20 percent of SMYS; or
- "(2) The line must be walked to check for leaks while the hoop stress is held at approximately 20 percent of SMYS.
- "(c) The pressure must be maintained at or above the test pressure for at least 1 hour."
- (p) [(q)] To 192.509 add: "(c) If substantial protective coatings are used that would seal a split pipe seam the leak test pressure shall be 100 psi."
- (q) [(r)] To 192.511(c) change fourth line to read as follows: "...must be tested to the maximum operating pressure or 100 psig, whichever is greater, except..."
- (r) [(s)] To 192.55 add: "(f) New or used pipe of unknown specification and all used pipe the strength of which is impaired by corrosion of other deterioration, shall be retested hydrostatically either length by length in a mill type test or in the field after installation before being placed in service, and the test pressure used shall establish the maximum allowable operating pressure subject to the following limitations:
- "(1) P for furnace butt welded pipe shall not exceed 60 percent of the mill test pressure.
- "(2) P shall not exceed 85 percent of the mill test pressure for all other pipes; provided however, that pipe, mill tested to a pressure less than 85 percent of the pressure required to produce a stress equal to the specified minimum yield, may be retested with a mill type hydrostatic test or tested in place after installation. In the event the pipe is retested to a pressure in excess of the mill test pressure, then P shall not exceed 85 percent of the retest pressure rather than the initial test pressure. It is mandatory to use a liquid as the test medium in all tests in place after installation where the test pressure exceeds the mill test pressure."
- (s) [(t)] To 192.619(2) (ii) change Factor Table to read as follows:

Class Location	Factor	
	Segment Installed before (Nov. 12, 1970)	Segment Installed after (Nov. 11, 1970)
1	1.25	1.25
2	1.50	1.50
3	1.50	1.50
4	1.50	1.50

- (t) [(u)] To 192.723 delete (b) - (1) and add: "(1) At least once a year a gas detector survey shall be conducted in business districts, involving tests of the atmosphere in gas, electric, telephone, sewer and water system manholes, and where access is not denied at

inside basement walls of public and commercial buildings located adjacent to gas mains and service lines, at cracks in pavement and sidewalks and at other locations providing an opportunity for finding gas leaks."

- (u) [(v)] To 192.747 delete and add: "192.747 Valve Maintenance: Distribution Systems:
"Valves, the use of which may be necessary for the safe operation of a gas distribution system, shall be checked and serviced, including lubrication where necessary, at sufficiently frequent intervals (at least once each year) to assure their satisfactory operation. Inspection shall include checking of alignment to permit use of a key or wrench and cleaning from the valve box or vault any debris which would interfere with or delay the operation of the valve. A similar inspection shall be made of distribution curb valve boxes one year after installation where the alignment may be subject to movement and at meter change intervals thereafter."
- (v) [(w)] To 192.749(a) change 4th line to read: "...content of 100 cubic feet or more, must be..."
- (w) [(x)] To 192.751 add: "(d) When a pipeline or main can be kept full of gas during a welding or cutting operation, the following procedures are recommended:
- "(1) Keep a slight flow of gas moving toward the point where cutting or welding is being done.
- "(2) The gas pressure at the site of the work shall be controlled by suitable means.
- "(3) Close all slots or open ends immediately after they are cut with tape, and/or tightly fitted canvas or other suitable material.
- "(4) Do not permit two openings to remain uncovered at the same time. This is doubly important if the two openings are at different elevations.
- "(e) No welding or acetylene cutting may be done on a pipeline, main or auxiliary apparatus that contains air if it is connected to a source of gas, unless a suitable means has been provided to prevent the leakage of gas into the pipeline or main.
- "(f) In situations where welding or cutting must be done on facilities which are filled with air and connected to a source of gas and precautions recommended above cannot be taken, one or more of the following precautions, depending upon circumstances at the job, are required.
- "(1) Purging of the pipe or equipment upon which welding or cutting is to be done, with combustible gas or inert gas.
- "(2) Testing of the atmosphere in the vicinity of the zone to be heated before the work is started and at intervals as the work progresses, with a combustible gas indicator or by other suitable means.
- "(3) Careful verification before the work starts that the valves that isolate the work from a source of gas do not leak.
- "(g) When the main is to be separated a bonding conductor must be installed across the point of separation and maintained while the pipeline is separated. If overhead electric transmission lines parallel the pipeline right-of-way the current carrying capacity of the bonding conductor should be at least one-half of the capacity of the overhead line conductors."
- (4) Venting of customer's service regulators. Each gas utilities' customers service regulator installed indoors shall be vented to the outside atmosphere and shall have a vent pipe sized no smaller than the manufacturer's vent connection built into the regulator.
- (5) Exterior shut-off valves. Exterior shut-off valves shall be installed on all lines entering and leaving regulator stations for use in an emergency to stop the flow of gas, such valves to be installed at an accessible point and location where such valves can be operated in case of an emergency but in any event at least forty (40) feet from the regulator station if operation is below sixty (60) psig. if operating above sixty (60) psig. the valve shall be placed at least 100 feet from the station; if operated above 100 psig. the valve location shall be at least 200 feet from the station. A check valve may be used as the exterior shut-off valve on the downstream line in lieu of other valve it forty (40) feet from regulator. No connection shall be made between the inlet and the outlet shut-off valves, except the connections to the regulating station. A regulator station may contain metering equipment or other similar apparatus. The shut-off valve may be a sectionalizing valve. For the purpose of this rule the maximum pressure possible on the regulator station shall be controlling. Such valve shall be operated, tested and checked at least once a year to insure proper operating condition.
- (6) Proximity to Buildings. Gas pipelines operated at 100 psig. or greater shall not be installed within 500 feet of any building intended for human occupancy unless line construction within 300 feet of the vicinity of the building complies with Class 4 construction.
- Section 4. Waste. All practices in the production, distribution, consumption, or use of natural gas which are wasteful, such as flambeau lights and the like, are hereby expressly prohibited.
- Section 5. Measuring Production and Shipment into and out of the State. (1) All gas produced and purchased by a utility in Kentucky shall be measured and the quantity thereof recorded.
- (2) All gas piped out of or brought into the State of Ken-

tucky by a utility shall be measured and quantity thereof recorded.

Section 6. Odorization. (1) Any gas distributed to customers through gas mains or gas services, used for domestic purposes or in compressor plants or transmitted through Class 3 or Class 4 locations shall have a distinctive odor of sufficient intensity so that the presence of the gas may be detected down to a concentration in air of one percent (1%) by volume (approximately twenty percent (20%) of the lower explosive limit) to normal or average olfactory senses of a person coming from fresh ungasified air into a closed room, or by appropriate instruments. Whenever necessary to maintain this level of intensity, a suitable odorant shall be added in accordance with the specification in this rule.

(2) Odorants in the concentrations used shall be: harmless to humans, noncorrosive to steel, iron, brass, copper and leather and not soluble in water to an extent greater than 2.5 parts by weight of odorant to 100 parts by weight of water.

(3) Odorizing equipment shall be designed to maintain a reasonable uniform level of odor in the gas.

(4) Each utility shall make periodic checks to determine that proper level of odorization is maintained and keep records of same.

Section 7. Purity of Gas. (1) All gas supplied to customers shall contain no more than: a trace of hydrogen sulphide; thirty (30) grains of total sulphur per 100 cubic feet, or five (5) grains of ammonia per 100 cubic feet. No gas shall contain impurities which may cause excessive corrosion of mains or piping or form corrosive or harmful fumes when burned in a properly designed and adjusted burner.

(2) When necessary, tests for the present of hydrogen sulphide shall be made at least once each day, except Sundays and holidays, with the standard lead acetate paper method. Results shown by these test papers shall be properly recorded and filed, as specified by the commission.

(3) Manufactured and mixed gas shall be tested at least once each month for the presence of total sulphur and ammonia, except that any gas containing no coal gas need not be tested for ammonia. Approved methods of testing shall be used. Records of all tests shall be preserved as specified by the commission.

Section 8. Heating value of Gas. (1) Each utility shall establish and maintain a standard heating value for its gas. The heating value standard adopted shall comply with the following conditions:

(a) It shall be consistent with good service.

(b) It shall be that value which the utility, from its experience, determines is the most practicable and economical to manufacture and/or supply to its customers.

(2) Each utility shall file with the commission as a part of its schedule of rates or rules and regulations, the average total heating value of the gas, together with the indicated maximum expected fluctuation above and below the average total heating value which may be expected of a gas supplied by it in each district, division or community served.

(3) The utility shall be prepared to justify to the commission the standards adopted. The BTU standard adopted shall be expressed as part of the schedule of rates on file with the commission and shall not be changed without approval of the commission.

(4) The utility shall maintain the heating value of the gas with as little variation as is practicable, but such variation shall not be more than five percent (5%) above, or five percent (5%) below the standard adopted.

(5) The standard adopted shall be the monthly average total heating value of the gas, as delivered to customers at any point within one mile of the manufacturing plant or center of distribution, and shall be obtained in the following manner: To obtain the monthly average, the results of all tests of heating value made on any day during the calendar month shall be averaged and the average of all such daily averages shall be used in computing the monthly average. Each utility selling more than three hundred million (300,000,000) cu. ft. of gas annually shall make tests of heating value to conform at least to the minimum requirements of the following schedule:

Annual Sales of Gas - M Cubic Ft.	Minimum No. of Tests Per Week Day	Minimum Interval Between Consecutive Tests in Hours
300,000 to 500,000	2	4
500,000 to 1,000,000	4	2
1,000,000 upward	6	2

(6) **Definition of Total Heating Value.** The total heating value of a gas is the number of British thermal units produced by the combustion at constant pressure, of the amount of gas which would occupy a volume of one (1) cubic foot at a temperature of sixty (60) degrees Fahrenheit, if saturated with water vapor and under a pressure equivalent to that of thirty (30) inches of mercury at thirty-two (32) degrees Fahrenheit and under standard gravity, with air of the same temperature and pressure as the gas, when the products of combustion are cooled to the initial temperature of gas and air, and when the water formed by combustion is condensed to the liquid stage.

(7) **Compressed Gas.** Gas which has been compressed to more than five (5) pounds per square inch shall be tested for heating value after compression.

(8) **Testing Equipment.** Each utility selling more than

three hundred million cu. ft. of gas annually shall provide and maintain an approved standard calorimeter and all necessary accessories therefor for testing the heating value of gas. Such equipment shall be subject to approval and calibration by the commission. Utilities served directly from transmission lines shall be exempt from this rule if there is a provision for measuring the heating value of the gas on the transmission line and if such calorimeters are available to the commission for testing and certification.

(9) Whenever the standard heating value of the gas supplied is changed sufficiently to necessitate readjustment of appliances, it shall be incumbent upon the utility to properly adjust the customer's appliances to the new heating value as adopted under this rule.

(10) Where any unusual conditions exist any utility may apply to the commission to be relieved in part of the requirements of this rule.

(11) Any change in the heating value greater than subsection (4) of this section shall not be made without the approval of the commission and without adequate notice to the affected customers. In such event, the utility shall make any necessary adjustments to the customer's appliances without charge and shall conduct the adjustment program with a minimum of inconvenience to the customers.

Section 9. Extension of Service. (1) **Normal Extensions.** An extension of one hundred (100) feet or less shall be made by a utility to an existing distribution main without charge for a prospective customer who shall apply for and contract to use service for one (1) year or more and provides guarantee for such service.

(2) **Other Extensions.**

(a) When an extension of the utility's main to serve an applicant or group of applicants amounts to more than one hundred (100) feet per customer, the utility may if not inconsistent with its filed tariff require the total cost of the excessive footage over one hundred (100) feet per customer to be deposited with the utility by the applicant or the applicants, based on the average estimated cost per foot of the total extension.

(b) Each customer receiving service under such extension will be reimbursed under the following plan: each year for a period of not less than ten (10) years which, for the purpose of this rule, shall be the refund period, the utility shall refund to the customer or customers who paid for the excessive footage, the cost of the one hundred (100) feet of the extension in place for each additional customer connected during the year whose service line is directly connected to the extension installed, and not to extensions or laterals therefrom, but in no case shall the total amount refunded exceed the amount paid the utility. After the end of the refund period no refund will be required to be made.

(3) An applicant desiring an extension to a proposed real estate subdivision may be required to pay the entire cost of the extension. Each year for a period of not less than ten (10) years the utility shall refund to the applicant who paid for the extension a sum equivalent to the cost of one hundred (100) feet of the extension installed for each additional customer connected during the year but in no case shall the total amount refunded exceed the amount paid to the utility. After the end of the refund period from the completion of the extension no refund will be required to be made.

(4) Nothing contained herein shall be construed to prohibit the utility from making extensions under different arrangements provided such arrangements have been approved by the commission.

(5) Nothing contained herein shall be construed as to prohibit a utility from making at its expense greater extensions than herein prescribed, should its judgment so dictate, provided like free extensions are made to other customers under similar conditions.

(6) Upon complaint to and investigation by the commission a utility may be required to construct extensions greater than one hundred (100) feet upon a finding by the commission that such extension is reasonable.

Section 10. Service Connections. (1) **Ownership of service.**

(a) **Utility's Responsibility.** In urban areas with well defined streets the utility shall furnish and install at its own expense for the purpose of connecting its distribution system to the customer's premises that portion of the service pipe from its main to the property line or to and including the curb stop and curb box if used. The curb stop may be installed at a convenient place between the property line and the curb. In cases where meters are located outdoors, the curb box and curb stop may be omitted if the meter installation is provided with a stopcock and the connection to the distribution main is made with a service tee that incorporates a positive shutoff device that can be operated with ordinary, readily available tools and the service tee is not located under pavement.

(b) **Customers Responsibility.** The customer shall furnish and lay the necessary pipe to make the connection from the curb stop to the place of consumption and shall keep the service line in good repair and in accordance with such reasonable requirements of the utility as may be incorporated in its rules and regulations.

- (c) Inspection. In the installation of a service line the customer shall not install any tees or branch connections and must leave the trench open and pipe uncovered until it is examined by an inspector of the utility and shown to be free from any irregularity or defect. The utility shall test the customer's piping for gas leaks, each time the gas is turned on by the utility, by observing that no gas passes through the meter when all appliances are turned off. The utility shall refuse to serve until all gas leaks so disclosed have been properly repaired.

(2) Location of Service. The customer's service line shall extend to that point on the curb line easiest of access to the utility from its distribution system. When a reasonable doubt exists as to the proper location of the service line, the utility shall be consulted and its approval of the location secured.

(3) All services shall be equipped with a stopcock near the meter. If the service is not equipped with an outside shut-off, the inside shut-off shall be of a type which can be sealed in the off position.

Section 11. Method of Measuring Service. (1) All gas sold by a utility and all gas consumed by a utility in the State of Kentucky shall be metered through approved type meters except in cases of emergency or when otherwise authorized by the commission. Each meter shall bear an identifying number. When gas is sold at high pressures or large volumes, the contract or rate schedule shall specify the standards used to calculate the gas volume. Prepayment meters shall not be used except where there is no other satisfactory method of collecting payment for the service rendered.

(2) All gas delivered as compensation for leases, rights of way, or for other reasons, not charged for at the utility's regular schedule of charges, shall be metered and a record kept thereof. All meters and regulators installed for the purpose of measuring gas and for the purpose of regulating the pressure of gas shall be under the control of the utility and subject to the rules of the utility and the rules of the commission.

(3) The utility shall make no charge for furnishing and installing any meter or meter accessories necessary to measure the gas furnished, except by mutual agreement in special cases or except where duplicate or check meters are requested by the customer.

(4) Each gas utility shall adopt a standard method of meter and service line installation insofar as practicable. Such methods shall be set out with a written description and/or with drawings to the extent necessary for a clear understanding of the requirements, all of which shall be filed with the commission. Copies of these standard methods shall be made available to prospective customers and contractors or others engaged in the business of installing pipe for gas utilization. All meters shall be set in place by the utility.

(5) Each customer shall be metered separately except in cases of multi-occupants under the same roof with a common entrance or within an enclosure where it is unreasonable or uneconomical to measure each unit separately.

(6) The utility may render temporary service to a customer and may require the customer to bear all of the cost of installing and removing the service in excess of any salvage realized. In this respect, a temporary service shall be considered to be service that is not required or used for more than one (1) year.

Section 12. Location of Meters. (1) Meters shall be easily accessible for reading, testing and making necessary adjustments and repairs, and where indoor type meters are necessary they shall be installed in a clean, dry, safe, convenient place. Unless absolutely unavoidable, meters shall not be installed in any location where the visits of the meter reader or tester will cause annoyance to the customer or a severe inconvenience to the utility. Existing meters which are located in places not permitted by this rule shall be relocated by the customer or owner to an approved location.

(2) Proper provision shall be made by the customer for the installation of the utility's meter. At least six (6) inches clear space shall be available, if possible on all sides of the meter and not less than thirty (30) inches in front of it.

(3) When a number of meters are placed in the same location, each meter shall be tagged or marked to indicate the customer metered by it and such identification shall be preserved and maintained by the owner of the premises served.

(4) When the distance between the utility's main and the nearest point of consumption is more than one hundred fifty (150) feet, the meter shall be located as near to the utility's main as may be practicable. This shall apply whether or not all or part of the service line shall have been constructed by either the customer or utility.

(5) When customers are served from high pressure lines, the meters, regulator or regulators and safety devices shall be located as near to the utility's main as practicable.

Section 13. Accuracy Requirements for Meters. (1) All tests to determine the accuracy of registration of any gas meters shall be made by a qualified meter man and with suitable facilities.

(a) Positive displacement meters:

1. Before being installed for the use of any customer, every positive displacement gas meter, whether new, repaired or removed from service for any cause shall be in good order and shall be adjusted to be correct to within one-half of one percent, plus or minus,

when passing gas at approximately twenty percent (20%) and one hundred percent (100%) of the rated capacity of the meter as given by the manufacturer at .5" H₂O differential. A pilot test to determine that the meter will register at one-half of one percent (1/2 of 1%) of the rated capacity shall be made before placing meters in service.

2. Meters removed from service for any reason shall be tested for accuracy as soon as practical after removal. An "as found" test shall be made at a flow-rate of approximately twenty percent (20%) and one hundred percent (100%) of the rated capacity at .5" H₂O differential and results of said tests algebraically averaged to determine the accuracy. If the error is less than two percent (2%) this shall be reported as the "as found" test. If the error is more than two percent (2%) two (2) additional tests shall be made at twenty percent (20%) and one hundred percent (100%) and the average of the three tests shall be reported as the "as found" test. The three (3) test procedures shall apply to any customer request test, complaint test, or bill adjustment made on the basis of the meter.

(b) Large capacity meters:

1. All meters other than positive displacement meters, regardless of type, shall be tested at approved intervals by the utility meter man using flow provers or other approved methods either in the shop or on location of use at the option of the utility with the approval of the commission of facilities and methods used.
 - a. The accuracy of these meters shall be maintained as near one hundred percent (100%) as possible.
 - b. Test ranges and procedures shall be as prescribed in adopted standards or approved by the commission.
2. All meter installation shall be inspected for proper design and construction and all instruments, regulators and valves used in conjunction with the installation shall be tested for desired operation and accuracy before being placed in service. This inspection shall be made by a competent meter man employed by the utility or by a competent person employed by the manufacturer of the meter installation. Test data as to conditions found, corrected if in error, and conditions as left shall be made available for inspection by the commission. Subsequent test results shall be a portion of regular meter test reports to the commission by the utility.

Section 14. Pressure Gauges. (1) Each utility shall keep continually in use on its distribution system or systems one (1) or more accurate recording pressure gauges at each point of supply to the system or systems. These gauges must be located at such point or points and in such a manner as to give continuous record of the gas pressure and character of service being furnished.

(2) In addition to the recording pressure gauges required in subsection (1) of this section, all utilities distributing gas shall provide themselves with one (1) or more portable recording pressure gauges with which pressure surveys shall be made in sufficient number to indicate the service furnished and to satisfy the commission of the utility's compliance with pressure requirements.

(3) All recording pressure gauge charts shall be preserved and filed in a systematic manner and each chart shall show the date and location when the record was made. All charts must be kept on file by the utility for a period of at least two (2) years.

Section 15. Standard Pressure. (1) All utilities supplying gas for light, heat, power or other purposes shall, subject to the approval of the commission, adopt and maintain a standard pressure as measured at the customer's meter outlet. In adopting such standard pressure the utility may divide its distribution system into districts and establish a separate standard pressure for each such district, or the utility may establish a single standard pressure for its distribution system as a whole.

(2) The standard pressure to be adopted as herein provided shall be a part of the utility's schedule of rates and general rules and regulations.

(3) No change shall be made by a utility in the standard pressure or pressure adopted except in case of emergency.

Section 16. Allowable Variations of Standard Service Pressure. (1) The variations of standard pressure as established under the preceding rule shall not exceed the following under normal operating conditions:

Established Standard Service Pressure	Minimum Pressure Allowable	Maximum Pressure Allowable
4 oz.	2 oz.	6 oz.
6 oz.	3 oz.	9 oz.
8 oz.	4 oz.	12 oz.

(2) A utility supplying gas shall not be deemed to have violated subsection (1) of this section, if it can be shown that variations from said pressures are due to:

- (a) Use of gas by the customer in violation of contract of the rules of the utility.
- (b) Infrequent fluctuations of short duration due to unavoidable conditions of operation.

(3) Allowable variations in standard pressure other than

those covered by subsection (1) of this section will be established by the commission when application is made and good cause shown therefor.

(4) The gas pressures required above shall be maintained at the outlet of the meter in such a manner to provide safe and efficient utilization of gas in properly adjusted appliances supplied through adequately sized customer's facilities.

Section 17. Continuity of Service. (1) The utility shall keep a complete record of all interruptions on its entire system or on major divisions thereof. The record shall show the cause of interruption, date, time, duration, remedy, and steps taken to prevent recurrence. The commission shall be notified of major interruptions as soon as they come to the attention of the utility and a complete report made after restoration of service.

(2) An interruption of service, as the term is used here, shall also mean the interval of time during which the pressure drops below fifty percent (50%) of such adopted standard pressure on the entire system, or on one (1) or more entire major division or divisions for which an average standard pressure has been adopted.

Section 18. Meter Testing Facilities and Equipment. (1) **Meter Shop:**

- (a) Each utility, unless specifically excused by the commission, shall maintain a meter shop for the purpose of inspecting, testing, and repairing meters. The shop shall be open for inspection by authorized representatives of the commission at all reasonable times, and the facilities and equipment, as well as the methods of measurements and testing employed, shall be subject to the approval of the commission.
- (b) The meter shop shall consist of a repair room or shop proper and a proving room. The proving room shall be designed so that the meters and meter testing apparatus are protected from excessive changes in temperature and other disturbing factors. The proving room or the entire meter shop shall be air conditioned if necessary to achieve satisfactory temperature control.
- (c) The proving room shall be well lighted and preferably not on an outside wall of the building. Temperature changes in the room shall be no greater than five (5) degrees F over a twenty-four (24) hour period. Temperatures at any one point in the room shall not vary from a simultaneous temperature at any other point in the room by more than one (1) degree F.

(2) **Working Standards:**

- (a) Each utility, unless specifically excused by the commission, shall own and make proper provision to operate at least one (1) approved belltype meter prover, preferably of ten (10) cubic feet capacity, but in no case of less than five (5) cubic feet capacity. The prover shall be equipped with suitable thermometers and other necessary accessories, and such equipment shall be maintained in proper condition and adjustment so that it shall be capable of determining the accuracy of any service meter, practical of test by it, to within one-half of one percent (1/2 of 1%) plus or minus.
 - (b) The prover shall be accurate to within three tenths (.3) of one percent (1%) at each point used in testing meters.
 - (c) The prover shall not be located near any radiator, heater, steam pipe, or hot or cold air duct. Direct sunlight shall not be allowed to fall on the prover or the meters under test.
 - (d) During conditions of satisfactory operation the temperature of the air in the prover shall be within one (1) degree F of the ambient temperature, and the temperature of the oil in the prover shall not differ from the temperature of the ambient air by more than one (1) degree F.
 - (e) The meters to be tested shall be stored in such manner that the temperature of the meters is substantially the same as the temperature of the prover. In order to achieve this the meters shall be placed in the environment of the prover for a minimum of about five (5) hours, and preferably overnight.
- (3) All testing instruments and other equipment shall at all times be accompanied by a certificate giving the date when it was last tested and adjusted and must be signed by a proper authority or a tag referring to such certificate may be attached when practicable. These certificates, when superseded, shall be kept on file in the office of the utility.
- (4) Sixty (60) days after the effective date of this regulation, each utility shall advise the commission in writing as to the kind and amount of testing equipment available.

Section 19. Periodic Tests. (1) Periodic tests (of all meters) shall be made according to the following schedule:

- (a) All positive-displacement meters, with a rated capacity up to and including 500 feet per hour, shall be tested at least once every ten (10) years.
- (b) All positive-displacement meters, with a rated capacity above 500 cubic feet per hour, up to and including 1,500 cubic feet per hour, shall be tested at least once every five (5) years.
- (c) All positive-displacement meters above 1,500 cubic feet per hour shall be tested at least once every year.
- (d) All orifice meters shall have their recording gages

tested at least once every six (6) months and the constant of the orifice plate tested every five (5) years.

(2) All meters in service on and after the effective date of this regulation for which there is on file in the utility's office no record of test within the time equal to the period of test for that class and rating of meter as specified in subsection (1) of this section, shall be tested as soon thereafter as circumstances will permit and the meters with the greatest time elapsed since the last test shall be tested first. In no case shall the time of test of said meters, subsequent to the effective date of this regulation exceed one-half (1/2) of the effective period of tests for meters of that class and rating as specified in subsection (1) of this section. Whenever the number of meters of any type which register in error beyond the limits specified in these rules is deemed to be excessive, then this type shall be tested with such additional frequency as the commission may direct.

Section 20. Deviations from Rules. In special cases for good cause shown upon application to and approval by, the commission may permit deviations from these rules.

WILLIAM A. LOGAN, Chairman

ADOPTED: April 15, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 15, 1974 at 1:43 p.m.

DEPARTMENT FOR HUMAN RESOURCES
Kentucky Drug Formulary Council
902 KAR 1:140
(Proposed Amendment)

RELATES TO: KRS 217.814 to 217.826, 217.990 (9) (10)

PURSUANT TO: KRS 13.082

AMENDS: 902 KAR 1:140

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Sulfisoxazole pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Sulfisoxazole Tablet Pharmaceutical Products. The following Sulfisoxazole tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

Sulfisoxazole 500mg. Tablet Form	
Gantrisin	Roche Laboratories
SK-soxazole	Smith, Kline & French Labs.
Sulfisoxazole	Alliance Labs., Inc.
<u>Sulfisoxazole</u>	<u>Geneva Generics</u>
Sulfisoxazole	Kasar Laboratories
Sulfisoxazole	Mylan Pharmaceuticals, Inc.
Sulfisoxazole	Richie Pharmacal Company
V-sul	Vanguard Laboratories

E. C. SEELEY, M.D., Chairperson

ADOPTED: February 20, 1975

APPROVED:

C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: April 15, 1975 at 3:56 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Al Austin, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

(The following two regulations, published initially in the February 1, 1975 issue [1 Ky.R. 526; 530], were amended by the issuing agency following receipt of comments. They will be considered by the Administrative Regulation Review Subcommittee at its May 14, 1975 meeting.)

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
Certificate of Need and Licensure Board
(902 KAR 20:085)
(Proposed Amendment)

RELATES TO: KRS 216.405 to 216.485, KRS 216.990 (2), KRS 22.210, et seq.

PURSUANT TO: KRS 216.425, 13.082

SUPERSEDES: HPFS 26

NECESSITY AND FUNCTION: This regulation, which relates to the operations and services of Special Services for the Mentally Retarded/Developmentally Disabled, is being promulgated pursuant to the mandate of KRS 216.425(3) that the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board regulate health facilities and health services. It is now being promulgated in its original form pursuant to KRS 13.082.

Section 1. Scope: This regulation relates to special services for the mentally retarded and developmentally disabled rendered in an intermediate care facility licensed by the Health Facilities and Health Services Certificate of Need and Licensure Board. Compliance with 902 KAR 20:050 Section

4, except subsections (11) and (14) (a), as well as Sections 5, 6, 7, and 9 must be met.

Section 2. Definitions: (1) Special intermediate care facilities for MR/DD are establishments which provide services for the mentally retarded and developmentally disabled and are defined as any public or private residential facility which provides on a regular basis health related care and services to individuals who because of their mental or physical condition require care and services (above the level of room and board) which can be made available to them only through institutional facilities at the level of intermediate care. The facility must meet the licensure requirements of an intermediate care facility pursuant to KRS 216.485.

(2) Special intermediate care of the mentally retarded and the developmentally disabled is defined as a distinct category of care which is provided by mental retardation specialists and other health professionals in the treatment of MR/DD of all ages whose needs for emotional, physical, educational, and and habilitative services are above the personal care level, but who do not require skilled nursing or acute care.

(a) Within the MR/DD category of care the classifications shall be as follows:

1. Class I Intermediate Care: Type M Medical/Nursing. Patients in this group are severely physically handicapped. This group requires the greatest concentration of professional staffing due to the complex problems in the group.
2. Class II Intermediate Care: Type M Medical/Constructive. Patients in this group may be autistic and/or have acting out behavior problems. The patients would not necessarily require organized group training programs but would require individualized therapy.
3. Class III Intermediate Care: Type S Social/Habilitative. Patients in this group are functioning at the lower level of mental retardation and/or overall adaptive behavior with few socially inappropriate behavioral problems or physical disabilities. Training efforts are directed to the development of self help skills and basic social behaviors.
4. Class IV Intermediate Care: Type S Social/Prevocational. Patients in this group are generally functioning in the middle and upper levels or mental retardation and/or overall adaptive behavior. Training efforts and program objectives are aimed at preparing the patients for vocational training and/or sheltered employment.

(b) Active treatment for purposes of these regulations means: daily participation, in accordance with an individual plan of care and service, in activities, experiences, or therapies which are part of a professionally developed and supervised program of health, social and/or habilitative services offered by or procured by contract or other written agreement by the institution for its patients.

(c) Board refers to the Health Facilities and Health Services Certificate of Need and Licensure Board.

(d) Developmental disability means a disability which is attributable to:

1. Mental retardation, cerebral palsy, or epilepsy; or
2. Is attributable to other neurological conditions found to be closely related to mental retardation or to require treatment similar to that required for mentally retarded persons;
3. Originated before the individual attained age eighteen (18) and has continued or can be expected to continue indefinitely; and
4. Constitutes a substantial handicap to the individual.

(e) Distinct part. An entire, physically identifiable unit consisting of all of the beds within that unit and for facilities meeting the standards applicable to the levels of service to be provided. Staff and service for a distinct part are established as set forth in the respective regulations concerning the levels of service approved for the distinct part.

(f) Intermediate care facilities. Type M (Medical): A home or establishment, or a distinct part of a home or establishment, however named, which is advertised, offered, maintained or operated for the purpose of providing patient accommodations for occupants needing institutional care, providing nursing and medical supervision and service less than the degree of care provided in a skilled nursing facility and more than the degree of care provided in an Intermediate Care Facility, Type S. This type of facility has a registered nurse or a licensed practical nurse employed each day on the day shift with a registered nurse supervising nursing care.

(g) Intermediate care facilities. Type S (Social): A home or establishment, however named, which is advertised, offered, maintained or operated for the purpose of providing accommodations for occupants needing institutional care and supervision of a degree less than that found in an intermediate care facility, type M and greater degree than found in a personal care home. This type of facility is not required to have a registered nurse or licensed practical nurse employed but shall have employed a person(s) capable of providing socialization and/or habilitation programs.

(h) Licensed Practical Nurse (LPN): A person with a valid current Kentucky license to practice as a practical nurse.

(i) Medical care shall mean services provided by a physician (see definition of physician) including: physical examination and diagnosis; orders for treatment, medications, diets, and associated services; emergency care; periodic supervision and review; and determination of appropriateness of care and placement.

(j) MR refers to significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior, and manifested during the developmental period. The upper limit of retardation in measured intelligence is set at two (2) standard deviations below the mean.

(k) Normalization principle is the principle of letting the mentally retarded and developmentally disabled obtain an existence as close to the normal as possible, making available to them "patterns and conditions of everyday life which are as close as possible to the norms and patterns of the mainstream of society." (Nirge, B. The Normalization Principle and Its Human Management Implications. R. B. Kugel and W. Wolfensberger (Eds.), Changing patterns in residential services for the mentally retarded. Washington, D. C. President's Committee on Mental Retardation, 1969). Specifically, "the use of means that are as culturally normative as possible to elicit and maintain behavior that is as culturally normative as possible."

(l) Nursing care: A complex of activities which carries out the diagnostic, therapeutic, and rehabilitative plan as prescribed by the physician; care for the patient's environment; observing symptoms and reactions and taking necessary measures to carry out nursing procedures involving understanding of cause and effect in order to safeguard life and health.

(m) Patient/resident of an intermediate care facility for the mentally retarded or developmentally disabled is an individual who has been disabled prior to the date of publication of these regulations, or after that date in accordance with the requirement of this regulation, and is receiving room, board, and a planned program of active treatment and training, care and supervision on a continuous twenty four (24) hour a day basis.

(n) "Posey vests": A trade name for a safety device used to restrain a patient in a chair in a sitting position.

(o) Qualified mental retardation or developmental disability personnel means:

1. A physician licensed under state law to practice medicine or osteopathy and with specialized training or one (1) year of experience in treating the mentally retarded; and/or developmentally disabled.
2. A psychologist with a doctoral or master's degree from an accredited program and with specialized training or one (1) year of experience in treating the mentally retarded; and/or developmentally disabled.
3. An educator with at least a bachelor's [a master's] degree and with specialized training or one (1) year of experience in working with the mentally retarded; and/or developmentally disabled.
4. A social worker with at least a bachelor's [a master's] degree from an accredited program and with specialized training or one (1) year of experience in working with the mentally retarded; and/or developmentally disabled.
5. A physical or occupational therapist who is a graduate of a program of physical or occupational therapy approved by the Council on Medical Education of the American Medical Association, and/or where applicable is licensed in the state, and who has specialized training or one (1) year of experience in treating the mentally retarded; and/or developmentally disabled.
6. A speech pathologist or audiologist who has been granted a certificate of clinical competence in the American Speech and Hearing Association or who has completed the equivalent educational and experiential requirements for such a certificate and has specialized training or one (1) year of experience in training the mentally retarded; and/or developmentally disabled.
7. A registered nurse who has specialized training or one (1) year of experience in treating the mentally retarded; and/or developmentally disabled.
8. A health services supervisor can be a registered nurse or a practical (or vocational) nurse who is currently licensed in the state, who has had training that includes either graduation from a state approved school of practical nursing or education and other training that is considered by the state authority responsible for the licensing of practical nurses to provide a background that is equivalent from a state approved school of practical nursing, or who has successfully completed public health service examination for waived licensed practical nurses and who is employed full time (exclusive of all other duties) on the day shift.
9. Recreation specialist [Therapeutic recreator] is a person who is trained and educated in utilizing

recreation [as purposive intervention, through education activities,] to modify, ameliorate, or reinforce [specific] physical, emotional, or social behaviors.

- (p) Registered nurse: A person with a valid current registration to practice in Kentucky as a registered professional nurse.
- (q) Restorative nursing care: A health care process designed to assist patients to attain and maintain the highest degree of function for which they are capable (physical, mental, and social).
- (r) Restraint: The application of a device to limit movements.
- (s) Safety Device: Any equipment or protective device used on a bed, chair, or patient which prevents him from falling or otherwise injuring himself. Examples are: bedside rails, geriatric chairs, a six inch wide band, vest or sheet applied to prevent falling out of a bed or chair, and hand socks applied to prevent one's injuring one's self. A safety device used in this manner is considered restraint of the patient.
- (t) Seclusion: The retention of a patient in a locked room.

Section 3. Essential Characteristics: The MR/DD services may be included as a separate distinct part of another licensed facility as long as that facility has the following essential characteristics: The essential characteristics of Special Services for the MR/DD are the same as those for any Intermediate Care Facility, and have been stated in KRS 10. Section 1, with the following additions: [There shall be provision for:]

(1) Special programs designed with the goal of attainment of maximum intellectual, physical and social growth capacity through the normalization principle.

(2) There is an interdisciplinary team for evaluating the residents needs, planning an individualized program to meet identified needs, and periodically reviewing and revising the program, which shall consist of persons drawn from such of the professions, disciplines, or service areas as are relevant in each particular case. [The program shall provide or contract for a qualified interdisciplinary mental retardation and developmental disability team which includes as a minimum a physician, a psychologist, a social worker, and other professionals necessary to plan and provide adequate and effective care according to the needs of the individual receiving care.]

Section 4. Minimum Standards of Operation (Additional for MR/DD): (1) Personnel and Staffing:

- (a) The size and content of the MR/DD program shall determine the number and qualifications of staff required.
- (b) Staff to patient ratios: The ranges of staff to patient ratios which follow relate to the Classes I through IV of categories of care for the mentally retarded and developmentally disabled as defined in Section 2, of this regulation, unless the program needs justify otherwise as determined by the board. The number of staff shall include all employees who provide direct patient care on the basis of twenty four (24) hour, seven (7) day coverage, including holidays, sick leave, annual leave and also includes part time employees.
 - Class I Medical/Nursing; 1:1.5 to 1:1
 - Class II Medical/Constructive; 1:1.5 to 1:1
 - Class III Social/Habilitative; 1:2.5 to 1:1.25
 - Class IV Social/Prevocational; 1:6 to 1:4
- (c) The program staff shall possess the qualities and skill required to work with the mentally retarded and developmentally disabled. Professional training is desirable, but not essential in all instances.
 - 1. Responsibilities shall be assigned within each service in accordance with staff qualifications;
 - 2. Appropriate professional directions and consultation shall be provided and shall be readily available within each service.
- (d) There shall be a qualified mental retardation professional who is responsible for supervising the integration of the various aspects of the facility's programs for each patient, recording each patient's progress and initiating periodic review of each individual plan of care and service for necessary modifications or adjustments.
- (e) A staff development program appropriate to the nature and size of the facility shall be designed to maintain and improve the skills of the personnel providing services. These shall include, but not be limited to the following methods:
 - 1. An inservice educational program shall be conducted for the development and improvement of skills of the facility's personnel, including training relating to the problems and needs of the mentally retarded and developmentally disabled. Records shall be kept which indicate the content of, and participation in, staff development program. The inservice training may be accomplished through contract of affiliation with a qualified training agency.
 - 2. Regular staff meetings;
 - 3. Participation in interdisciplinary meetings;
 - 4. Providing for staff participation at professional conferences, workshops, and seminars;
 - 5. Consultation with specialists;
 - 6. Interfacility awareness and contact.

(2) Medical supervision of patients: The facility shall maintain policies and procedures to assure that each patient shall be under the medical supervision of a physician.

- (a) The patient (or his guardian) shall be permitted his choice of physician.
- (b) The physician shall visit the patients as often as necessary and in no case less often than every 60 days, unless justified and documented by the attending physician.
- (c) A complete medical evaluation to include social, physical, emotional, and cognitive factors shall be made of the person desiring or requiring institutionalization prior to, but not to exceed three months before admission. This shall be the responsibility of the family or guardian of the person requiring care. If no family member assumes responsibility, and the Commonwealth as guardian is far removed from the individual's community, an attempt shall be made by the Commonwealth to appoint a committee of persons in that community to assume legal guardianship of the patient while that patient is receiving care.

(d) Medical reevaluation at least annually shall be made by the patient's physician, a physician provided by a community service, or a registered visiting nurse, according to the resources of the community and the apparent needs of the patient receiving intermediate care. Formal arrangements shall be made to provide for medical emergencies on a 24 hour, 7 days a week basis. This shall be the responsibility of the facility providing care. [Patient evaluation shall include:

- (a) A complete medical evaluation shall be made of the person desiring or requiring institutionalization prior to, but not to exceed three (3) months before admission. (This shall be the responsibility of the family or guardian of the person requiring care. If no family member assumes responsibility, and the Commonwealth as guardian is far removed from the individual's community, an attempt shall be made by the Commonwealth to appoint a committee of persons in that community to assume legal guardianship of the patient while that patient is receiving care.)
- (b) Reevaluation at least every six (6) months shall be made by the patient's physician, a physician provided by a community source, or a registered visiting nurse, according to the resources of the community and the apparent needs of the patient receiving intermediate care. (This shall be the responsibility of the facility providing care.)

(3) Patient care and safety:

- (a) There shall be a signed order by a physician or his designee, which must be a licensed health professional, for any physical restraints. This order shall state the number of minutes or hours for restraint prescribed.
- (b) Orders for restraints shall be for no longer than one shift. On shift change, order must be reinstated.
- (c) Restraints shall be checked at least every half hour and released at least ten (10) minutes every two (2) hours. These checks and restraints releases shall be recorded in the patient's record as they are completed. Physical restraints are defined as: any mechanical device which is designed or used specifically to impede the normal movement of a patient or to confine a patient in a restricted area.
- (d) Chemical restraints shall not be used as punishment, for the convenience of the staff, as a substitute for programs, or in quantities that interfere with the patient's habilitation.
- (e) Behavior modification programs, involving the use of punishment, noxious or aversive stimulation or time out procedure, shall:
 - 1. Be governed by written policies and shall be reviewed periodically by a professional committee of the facility staff;
 - 2. Be conducted only with the approval of the affected patient's parents or surrogates;
 - 3. Be described in each individual patient's medical record.

Section 5. Services; General: The professional interdisciplinary team shall see that the health needs of patients are met and that plans for each patient shall include treatments, medications, diet and other program services. All activities for MR/DD shall reflect adherence to the Normalization Principle (see definitions) for the MR/DD. The treatment and training program shall assure the following:

(1) All professional personnel necessary to provide professional programs and services in accordance with the needs of its patients:

(2) Health services staff to assure that each patient receives treatments, medications, diet, and other health services as prescribed and planned, all hours of each day and all days of each week and in the presence of minor illness and for temporary periods, bedside care under the direction of the patient's physician is provided by or supervised by a registered nurse or licensed practical nurse; and that responsible staff member is on duty at all times who is immediately accessible, to whom residents can report injuries, symptoms of illness, and emergencies;

(3) Has written procedures for personnel to follow in an emergency including care of the resident, notification of the

attending physician and other persons responsible for the resident, arrangements for transportation, for hospitalization or other appropriate services;

(4) Maintains a written account of all personal possessions and funds received by or deposited with the facility on a current basis for each resident with written receipts for all expenditures and disbursements made in behalf of the resident.

(5) A plan of care and services which is developed for each resident by an appropriate interdisciplinary professional team. The over-all objective of the plan is to assist the individual to attain or maintain the optimal physical, intellectual, social, and/or vocational functioning of which he is presently or potentially capable;

(6) An assigned staff member (full time, if appropriate and necessary) who is a qualified mental retardation and/or developmental disability professional (see definitions) responsible for supervising the implementation of each resident's individual plan of care and service, integrating the various aspects of the institution's programs, recording each resident's progress and initiating periodic review of each individual plan of care and service for necessary modifications or adjustments;

(7) Written policies developed and implemented to prohibit mistreatment, neglect, or abuse of residents, protect them from exploitation, and provide for the registration of resident's complaints without threat of discharge or other reprisal;

(8) Organized, professionally designed and supervised training services provided for residents, regardless of age, level of functioning, or accompanying handicaps. These services shall include individualized planned programs for the development of the resident's intellectual, sensorimotor, and affective skills. Available education resources shall be utilized for residents upon the recommendation of the interdisciplinary team.

(a) Training programs shall be operated under the supervision of a qualified MR/DD professional.

(b) Individualized training plans shall be part of the resident's record and shall be reviewed and updated as necessary.

(c) A full range of training materials shall be available in the facility for the use of residents in meeting their planned training objectives.

(9) Community awareness and involvement both within the facility and within the service community to the appropriate level or patient participation possible;

(10) Provision by the source providing the service, either the facility or the service contractee, for adequate materials, supplies, and equipment and appropriate conditions for evaluation, education and training; and

(11) Review and evaluation of individual patient treatment and training programs as needed, or minimally every six months, by the interdisciplinary professional team. There shall be written reports of this review.

Section 6. Social Services: (1) The social worker on the staff of the intermediate care facility, providing services for the mentally retarded and developmentally disabled shall be a qualified social worker (see definition section), and shall be a qualified mental retardation professional.

(2) Social services shall be available either on staff or by formal arrangement with community resources for all patients and their families, including evaluation and counseling with referral to, and use of, other planning for community placement, discharge and follow up services rendered by or under the supervision of a social worker.

Section 7. Dental Services: (1) Comprehensive dental services shall be provided and if not available within the facility, arrangements with specialists in the dental field will be made for such service.

(a) Appropriate dental services shall be provided through personal contact with all residents by dentists, dental hygienists, and dental assistants under supervision of the dentist, health educators, and oral hygiene aids according to their availability and to the scope of the MR/DD program.

(b) A dental professional shall participate, as appropriate on the interdisciplinary team serving the facility.

(c) There shall be sufficient supporting personnel, equipment, and facilities available to the dental professional if dental services delivered within the facility.

(2) Dental records shall be a part of each patient's record.

(3) A dentist shall be responsible for insuring that direct care staff are instructed in the proper use of oral hygiene methods for patients.

Section 8. Nursing Service: Due to the wide range of nursing needs in the various levels of mental retardation it is recognized that the nursing program must, of necessity, be adjustable to meet a gradation of patient needs at any given point in time.

(1) The intermediate care facility rendering services to the MR/DD shall provide nursing service which is sufficient to meet the nursing needs of all patients as required during any twenty four (24) hour period.

(2) The director of nursing shall be a registered nurse or a licensed practical nurse dependent upon the scope and complexity of the nursing program with orientation and/or special knowledge of the MR/DD.

(3) If the director of nursing is not a registered nurse,

there shall be a written policy stating the method whereby this service is provided through formal contract at regular intervals of not less than four (4) hours weekly for the care of minor illnesses, injuries or emergencies and consultation on the health aspects of the individual plan of care and service.

[Section 9. Treatment and Training: All activities for MR/DD shall reflect adherence to the Normalization Principle (see definitions) for the MR/DD. The treatment and training program shall assure the following:]

[(1) All professional personnel necessary to provide professional programs and services in accordance with the needs of its patients;]

[(2) Health services staff to assure that each patient receives treatments, medications, diet, and other health services as prescribed and planned, all hours of each day and all days of each week and in the presence of minor illness and for temporary periods, bedside care under the direction of the patient's physician is provided by or supervised by a registered nurse or licensed practical nurse; and that a responsible staff member is on duty at all times who is immediately accessible, to whom residents can report injuries, symptoms of illness, and emergencies;]

[(3) Has written procedures for personnel to follow in an emergency including care of the resident, notification of the attending physician and other persons responsible for the resident, arrangements for transportation, for hospitalization or other appropriate services;]

[(4) Maintains a written account of all personal possessions and funds received by or deposited with the facility on a current basis for each resident with written receipts for all expenditures and disbursements made in behalf of the resident;]

[(5) A plan of care and services which is developed for each resident by an appropriate interdisciplinary professional team. The overall objective of the plan is to assist the individual to attain or maintain the optimal physical, intellectual, social, and/or vocational functioning of which he is presently or potentially capable;]

[(6) An assigned staff member (full time, if appropriate and necessary) who is a qualified mental retardation and/or developmental disability professional (see definitions) responsible for supervising the implementation of each resident's individual plan of care and service, integrating the various aspects of the institution's programs, recording each resident's progress and initiating periodic review of each individual plan of care and service for necessary modifications or adjustments;]

[(7) Written policies developed and implemented to prohibit mistreatment, neglect, or abuse of residents, protect them from exploitation, and provide for the registration of resident's complaints without threat of discharge or other reprisal;]

[(8) Organized, professionally designed and supervised training services provided for residents, regardless of age, level of functioning, or accompanying handicaps. These services shall include individualized planned programs for the development of the resident's intellectual, sensorimotor, and effective skills. Available educational resources shall be utilized for residents upon the recommendation of the interdisciplinary team.]

[(a) Training programs shall be operated under the supervision of a qualified MR/DD professional.]

[(b) Individualized training plans shall be part of the resident's record and shall be reviewed and updated as necessary.]

[(c) A full range of training materials shall be available in the facility for the use of residents in meeting their planned training objectives.]

[(9) Community awareness and involvement both within the facility and within the service community to the appropriate level of patient participation possible;]

[(10) Provision by the source providing the service, either the facility or the service contractee, for adequate materials, supplies, and equipment and appropriate conditions for evaluation, education and training; and,]

[(11) Review and evaluation of individual patient treatment and training programs as needed, or minimally every six (6) months, by the interdisciplinary professional team. There shall be written reports of this review.]

Section 9. [10.] Occupational Therapy: (1) Occupational therapy shall be provided to patients as required by the patient needs. [Occupational therapy shall be available to patients who have any physical or dysfunction associated with MR/DD.]

(2) The occupational therapist shall act upon the program designed by the professional interdisciplinary team of which the therapist is a member.

Section 10. [11.] Physical Therapy: (1) Physical therapy shall be provided to patients as required by the patients needs.

(2) The physical therapist shall act upon the program designed by the professional interdisciplinary team of which the therapist is a member. [These regulations shall apply to only those facilities which offer physical therapy services either on or off site as required for the MR/DD patients.]

(1) Physical therapy services in an intermediate care facility. MR/DD utilizing physical modalities and individualized treatment procedures shall be provided when indicated for relief of pain, the restoration of function and prevention of debilitation.]

[(2) The facility shall have written policies, procedures and objectives for this service.]

[(a) These shall be reviewed and revised as necessary to keep pace with best practice and new knowledge.]

[(b) There shall be a written statement of purpose for the physical therapy service.]

[(c) There shall be a plan of administration with definitions of responsibilities and duties of each category of physical therapy personnel.]

[(3) Physical therapy evaluation shall be made upon the referral of the client to the physical therapist. Treatment shall be provided following consultation between the qualified physical therapist and the referring practitioner, and written, signed substantiation of this consultation shall be placed in the patient's medical record.]

[(a) The relationship between the referring physician or dentist and physical therapist shall be as definitive or as broad as the attending physician/dentist deems necessary in the particular case.]

[(b) A plan for care of each patient shall be developed by the physical therapist in consultation with the referring physician or dentist. The plan of care shall be written, and include initial evaluation, goals of treatment, and recommended treatment procedures. The plan shall be reviewed periodically and revised when indicated. The resident, his family, or both should be active participants in the therapy program.]

[(c) The services shall be directly and specifically related to an active written treatment regimen designed to meet the individual needs of the patient.]

Section 11. [12.] Psychological Services: Psychological services as needed shall be provided by a qualified mental retardation/developmental disability professional and shall include participation in the evaluation and periodic review, individual treatment, and consultation and training services to program staff as a member of the interdisciplinary team.

[(1) Psychological counseling and treatment shall be made available to residents if needed.]

[(2) A qualified psychologist shall be a member of the interdisciplinary treatment planning team and its recommendations shall be part of each resident's program plan.]

[(3) Psychological reports shall be part of the resident's record.]

[(4) A psychologist shall be used in consultation and training of direct care staff.]

Section 12. [13.] Speech Pathology and Audiology Services: The facility shall provide speech pathology and audiology services as needed to maximize the communication skills of residents needing such services. These services shall be provided by, or under the supervision of, a certified speech pathologist or audiologist who is a qualified mental retardation or developmental disability professional who is a member of the interdisciplinary team.

[(1) Recommendations from the speech pathologist and audiologist shall be used as appropriate, in developing the patient's individualized program plan.]

[(2) Initial and follow up assessments shall be part of the resident's record.]

[(3) Speech and audiology services shall be used as a consultation service to other disciplines.]

[(4) Speech and audiology therapists shall plan the total activity program with the consultation of the interdisciplinary MR/DD direct care personnel.]

Section 13. [14.] Activities and Recreation Therapist [Therapeutic Recreation]. [(Additional for MR/DD)] (1) Qualified therapeutic recreation specialists shall plan the total activity program with the consultation of the interdisciplinary MR/DD team.

(2) When a recreation specialist [therapeutic recreator] is not available, a person shall be employed who has some experience in this program area who shall be under the supervision of an occupational therapist, or shall receive consultation from a qualified therapeutic recreator who shall visit the facility on a regular monthly basis.

HOWARD L. BOST, Chairman

Certificate of Need and Licensure Board

ADOPTED: April 8, 1975

APPROVED:

C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: April 15, 1975 at 4:02 p.m.

DEPARTMENT FOR HUMAN RESOURCES

Bureau for Health Services

Certificate of Need and Licensure Board

(902 KAR 20:105)

(Proposed Amendment)

RELATES TO: KRS 216.405 to 216.485, 216.990 (2)

PURSUANT TO: KRS 216.425, 13.082

SUPERSEDES: HFHS 22

NECESSITY AND FUNCTION: This regulation, which relates to the operations and services of Ambulatory Surgical Center Services, is being promulgated pursuant to the mandate of KRS 216.425(3) that the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board regulate health facilities and health services. It is now

being promulgated in its original form pursuant to KRS 13.082.

Section 1. Definition: Ambulatory Surgical Center Services, General: An ambulatory surgical center means a public or private institution with an organized medical staff that is established, equipped and operated primarily for the purpose of treatment of patients by surgery, whose recovery in the concurring opinions of the surgeon and/or the physician or dentist anesthesiologist will not require inpatient care.

Section 2. Essential Characteristics of Ambulatory Surgical Center Services: The essential characteristics of ambulatory surgical centers are as follows: (1) Is operated under the supervision of a staff of physicians and dentists.

(2) Surgical procedures shall be permitted to be performed by physicians or dentists, who at the time, are legally authorized to perform such procedures and are privileged to perform such procedures in at least one hospital in the area.

(3) Requires (in all cases other than those requiring only local infiltration anesthetics) that a qualified physician or dentist anesthesiologist (or a registered nurse anesthesiologist acting under the direction of the operating surgeon) administer the anesthetics and remain present during the surgical procedure.

(4) Provides at least two (2) operating rooms and at least one (1) postanesthesia recovery room.

(5) Is equipped to perform diagnostic x-ray and laboratory examinations for diagnostic purposes, or has an agreement with a licensed hospital, a licensed radiologist, or a licensed pathologist to provide these services.

(6) Does not provide accommodations for overnight stays.

(7) Provides the full time services of registered professional nurses for patient care in the operating and postanesthesia recovery room.

(8) Has available the necessary equipment and personnel to handle foreseeable emergencies (including defibrillator for cardiac arrest, a tracheotomy set for airway obstructions, and a [blood bank or other] blood or blood component supply to maintain blood volume).

(9) Maintains a written agreement with one or more licensed hospitals in close proximity for immediate acceptance of patients who develop complications or require postoperative confinement.

(10) Provides for the periodic review of the center and its operations by a utilization review committee or other committee composed of physicians having no financial interest in the surgical center.

(11) Maintains adequate medical records for each patient.

(12) Provision shall not be made for any obstetrical deliveries.

Section 3. Minimum Standards for Operation: The following minimum standards of operation as set forth in this regulation shall apply to all ambulatory surgical centers:

(1) Disclosure of ownership. The ownership of the ambulatory surgical center shall be fully disclosed to the licensure board. This disclosure shall apply equally to individuals, partnerships, the officers and the board of directors of a corporation.

(2) State and local laws. The ambulatory surgical center shall be in compliance with all applicable state and local laws.

(3) Governing body and management. There shall be an organized governing body, or designated persons so functioning, that have overall legal responsibility for the conduct of the surgical center.

(a) Bylaws. Bylaws shall be adopted in accordance with legal requirements. These bylaws shall include but not be limited to:

1. Description of the organization including selection of officers.
2. Committee structures and their responsibilities.
3. Appointment of physician and dentist members and approval of their bylaws, rules and regulations.
4. Responsibilities for providing and maintaining the physical plant.
5. Provision for liaison between the governing body and the medical staff.
6. Frequency of meetings and the maintenance of written minutes of the governing body meetings.

(b) General administration:

1. The governing body shall appoint an administrator whose qualifications, authority and duties shall be defined in writing and adopted by the governing body.
2. The administrator shall act as the executive officer of the governing body and shall provide liaison between the governing body and medical staff, nursing department and other departments of the center.
3. He shall organize day to day operations of the center through appropriate departmentalization and delegation of duties.
4. A qualified individual shall be designated and authorized to act in the absence of the administrator.

(c) Personnel administration:

1. Written personnel policies, practices and procedures shall be developed and be available to all personnel.
2. Job descriptions shall be developed for each level of personnel and shall include the responsibilities and actual work to be performed in each classification.
3. Current employee records shall be maintained and

include a resume of each employee's training and experience, evidence of current licensure or registration where required, records of health supervision and reports of all accidents occurring on duty.

(4) Medical staff. There shall be a medical staff organized under bylaws approved by the governing body which shall be responsible for the quality of all medical care provided patients in the surgical center and for the ethical and professional practices of its members. It shall include physicians and dentists. Bylaws shall be adopted to govern and enable the medical staff to carry out its responsibilities. The medical staff bylaws, rules and regulations shall include, but not be limited to the following areas:

- (a) Description of the medical staff organization including selection of officers, committee structures and responsibilities.
- (b) State the necessary qualifications for staff membership.
- (c) Procedures for granting and withdrawing staff privileges.
- (d) Provision that surgical privileges will be granted only to physicians and dentists who are privileged to perform such procedures in at least one (1) hospital in the area.
- (e) Mechanism for appeal of adverse decision regarding medical staff membership and privileges.
- (f) State specifically those cases or instances in which consultations with other physicians and dentists are required.
- (g) Provision for examination of all patients either prior to or upon admission and recording a preoperative diagnosis prior to surgery.
- (h) Provision that at least a complete blood count and urinalysis be performed on all patients within forty-eight (48) hours prior to surgery.
- (i) Policy permitting a surgical operation only upon written informed consent of the patient or his legal representative.
- (j) Provide that the physician or dentist in charge of the patient be responsible for seeing that all tissue removed during surgery is delivered to the center's pathologist and that an examination and report is made of such tissue.
- (k) A statement that the physicians' or dentists' orders must be in writing and signed by the physician or dentist.
- (l) Provision for keeping accurate and complete medical records.
- (m) Provides for staff meetings for the purpose of reviewing clinical work performed in the center.
- (n) In ambulatory surgical centers providing for voluntary interruption of pregnancies the following shall apply: Where, in the opinion of the attending physician [surgeon], the pregnancy is approximately three (3) months or less, there shall be a verified pregnancy test prior to surgery; there shall be provision for preoperative and postoperative counseling; there shall be a Papanicolaou (PAP) unless the patient has had a PAP smear within the past six (6) months and Venereal Disease (VD) test prior to surgery; and all patients shall have testing for blood type and Rh factor determination and antibody screening prior to surgery; crossmatch of Rhogam for Rh negative patients shall be performed prior to surgery and Phogam therapy provided when indicated. [and Rh negative patients shall have Rhogam therapy when indicated.]

(5) Sanitary environment: The surgical center shall provide a sanitary environment to avoid sources and transmission of infections.

- (a) An infection committee composed of members of the medical and nursing staffs shall be established and responsible for controlling and preventing infections within the center.
- (b) Written infection control measures shall be established. There shall be written procedures which govern the use of aseptic techniques and procedures in all areas of the center.
- (c) All employees shall have a VDRL and chest x-ray or tuberculin skin test prior to employment and at least annually thereafter.
- (d) To insure that cleaning procedures are effective, there shall be bacterial colony counts taken periodically in at least the operating rooms and any other high risk areas.
- (e) There shall be a method of control used in relation to the sterilization of supplies and water and a written policy requiring nondisposable sterile supplies to be reprocessed no later than every thirty (30) days.
- (f) There shall be rigidly enforced policies regarding the disposal of patient waste and any other potentially infectious materials.
- (g) There shall be continuing education to all surgical center personnel on the cause, effect, transmission, prevention and elimination of infections.

(6) Surgery department:

- (a) The operating rooms shall be supervised by a registered nurse.
- (b) The operating room supervisor shall have on file a list of all physicians and dentists with surgical privileges at the center and the privileges assigned to each by the medical staff.

(c) The medical staff shall designate which surgical procedures, if any, that will require the presence of two (2) scrubbed physicians. Assistants at lesser operations may be nurses or technicians designated by the medical staff as having sufficient training to assist in such procedures. A registered nurse shall be available to circulate.

(d) The operating room register shall be complete and up to date.

(e) The following equipment shall be available in the operating rooms: cardiac monitor, resuscitator, defibrillator, aspirator, thoracotomy and tracheotomy sets.

(f) There shall be effective policies regarding staff privileges for the administration of anesthetics. A postanesthetic followup note on patients receiving general anesthetics shall be recorded two (2) to six (6) hours following surgery by the anesthetist or surgeon, noting postoperative abnormalities or complications, stating the temperature, pulse, respiration, blood pressure, presence or absence of swallowing reflex and cyanosis and general condition of the patient.

(g) Rules and regulations governing the use of the operating rooms shall be posted.

(7) Recovery room:

- (a) There shall be adequate staff available in the recovery room so that no patient is left alone at any time.
- (b) A registered nurse shall be available to the recovery room at all times.
- (c) The person(s) staffing this area shall be adequately trained in all aspects of postoperative and postanesthetic care.
- (d) Equipment available for emergencies shall include, but not be limited to: suction machine, stethoscope, sphygmomanometer, emergency cart and necessary drugs.

(8) Patient accommodations in recovery room(s):

- (a) The surgical center shall provide suitable accommodations for all its patients. There shall be adequate floor space, furnishings, bed linens, and such other utensils, equipment and supplies as is reasonably required for the proper care of the patients accommodated. There shall be provision for the proper sterilization of supplies, utensils and equipment and for storing them in a clean, convenient and orderly manner. An adequate system for patients to use in calling nurses and attendants shall be maintained.
- (b) Bedrails shall be available for any patient when required.
- (c) A satisfactory bed and mattress and one (1) or more pillows of at least fifteen (15) inches by twenty (20) inches shall be provided for each patient. There shall be at least one (1) chair per patient.

(9) Pharmaceutical services:

- (a) The surgical center may have a licensed pharmacy. If the center does not have a licensed pharmacy, it shall have provision for promptly and conveniently obtaining prescribed drugs and biologicals from licensed community or institutional pharmacies.
- (b) The center shall provide appropriate methods and procedures for storage, control and administering of drugs and biologicals, developed with the advice of a staff pharmacist, either full time, part time, or on a regular consultative basis. Drugs shall be properly labeled by the pharmacist for individual patients. The pharmacist shall have overall control of drugs at the center.
- (c) All medications shall be administered by licensed medical or nursing personnel in accordance with the Medical Practice Act (KRS 311.530 to 311.620) and Nurse Practice Act (KRS Chapter 314). Each dose administered shall be properly recorded in the medical record.
- (d) An emergency medication kit approved by the medical staff shall be readily available and maintained and replacements made by the pharmacist on a regular basis.
- (e) Security and storage of all controlled substances shall be in accordance with the Kentucky Controlled Substances Act (KRS Chapter 218A).
- (f) A record shall be maintained which lists on separate sheets for each type and strength of controlled substance the following information: date, time administered, name of patient, dose, physician's or dentist's name, signature of person administering dose, and balance. An audit shall be conducted by the pharmacist and a member of the nursing staff weekly.

(10) Laboratory services. A surgical center may have an agreement with a licensed hospital located in close proximity to provide laboratory services; however, if the center provides their own laboratory services, the following regulations shall apply:

- (a) There shall be necessary space, facilities and equipment to perform those diagnostic procedures commensurate with the center's needs for its patients.
- (b) The laboratory in the surgical center or the contracted laboratory services shall be directed by a pathologist either on a full time, part time or regular consultative basis.

- (c) There shall be a sufficient number of medical technologists to promptly and proficiently perform the tests in the laboratory.
 - (d) All equipment shall be in good working order, routinely checked and precise in terms of calibration.
 - (e) There shall be ongoing quality control program, including the use of standards, control sera, reference samples, and periodic recalibration of instruments to insure accuracy of laboratory results.
 - (f) Laboratory examinations shall be made only upon the request of a physician or dentist.
 - (g) Provision shall be made for tissue pathology and diagnostic cytology examinations in the center's own laboratory or through arrangements with the pathologist director.
 - (h) All tissue removed from patients at surgery shall be macroscopically and, if necessary, microscopically examined by the center's pathologist.
 - (i) All laboratory and tissue pathology reports shall be signed and entered into the medical record.
- (11) Radiology services. The surgical center may have an agreement with a licensed hospital located in close proximity to provide radiology services; however, if the center provides their own radiology services, the following regulations shall apply:
- (a) The surgical center shall maintain or have available, radiology services according to the needs of the center.
 - (b) The department shall be free of hazards for patients and personnel. Proper safety precautions shall be maintained against fire and explosion hazards, electrical hazards and radiation hazards.
 - (c) Periodic inspection shall be made by state authorities and hazards so identified shall be corrected.
 - (d) Radiology personnel shall be checked periodically for amount of radiation exposure by the use of exposure meters or badge tests.
 - (e) The center shall have a qualified radiologist, either full time, part time, or on a consultative basis to supervise the department and to interpret films that require specialized knowledge for accurate reading.
 - (f) The amount of radiologist and technologist time shall be sufficient to meet the requirements or demands that the medical staff places upon the department.
 - (g) The use of all x-ray apparatus shall be limited to personnel designated as qualified by the radiologist or by an appropriate committee of the medical staff.
 - (h) Signed reports shall be promptly entered into the medical record and duplicate copies kept in the department.
 - (i) X-ray examinations shall be made only upon the request of a physician or dentist.
- (12) Reports. Each surgical center shall furnish an annual report to the Department for Human Resources on forms supplied by the department for this purpose. This report shall consist of the total number of operations per year, number of operations by clinical category, and such other statistical information that is requested.
- (13) Medical records:
- (a) Organization: The responsibility for supervision, filing and indexing of medical records shall be delegated to a responsible employee of the surgical center.
 - (b) Indexing: Medical records shall be properly indexed and systematically filed for ready access to properly authorized personnel.
 - (c) Ownership: Records of patients are the property of the surgical center and shall not be removed from the center's jurisdiction and safekeeping except in accordance with a court order or subpoena. Medical records shall be made available, when requested for inspection by duly authorized representatives of the licensure board.
 - (d) Content: Adequate and complete medical records shall be prepared for all patients admitted to the surgical center. All notes shall be legibly written or typed and signed. A minimum medical record shall include, but not be limited to the following information:
 1. Name and address of person or agency responsible for patient;
 2. Identification data (name, address, age, sex, marital status);
 3. Date of admission and discharge;
 4. Referring and attending physicians' and dentists' names;
 5. History and physical examination record prior to surgery;
 6. Operative consent form signed by patient or his legal representative;
 7. Special examinations, such as consultations, clinical, laboratory, x-ray;
 8. Doctor's orders, dated and signed by the physician or dentist;
 9. Nurses' notes;
 10. Complete medical record signed by the operating surgeon, including anesthesia record, preoperative diagnosis, operative procedure and findings, postoperative diagnosis and tissue diagnosis by a qualified pathologist on all specimens surgically removed, and postanesthesia follow up note;

- 11. Temperature chart including pulse, respiration and blood pressure;
 - 12. Discharge note to include condition on discharge and postoperative instructions to patient.
- (e) Physician's or dentist's responsibility: It shall be the responsibility of each attending physician or dentist to complete and sign the medical record of each patient as soon as practicable after discharge, but not to exceed ten (10) days.
 - (f) Orders for medication: All medical records shall contain the orders for medication and treatment written in ink and signed by the prescribing physician or dentist and if given verbally, countersigned by him within forty eight (48) hours except that all records for Schedule II drugs shall be signed immediately. A record of medication administered to the patient shall be included in the record and signed by the person administering the medication.
 - (g) Retention of Records: All medical records shall be retained for a minimum of five (5) years and for such additional time as deemed necessary by the governing body of the facility based upon all relevant factors.
- (14) Transfer agreement:
- (a) Each surgical center shall have a written agreement with one (1) or more licensed hospitals located in close proximity to the center, for the immediate acceptance of patients who develop complications or require postoperative confinement.
 - (b) It shall be the responsibility of the surgical center to arrange for transportation of patients who require hospital care and to arrange for their admission.
- (15) Utilization review:
- (a) Each surgical center shall have in effect a plan for utilization review of their services on a least a quarterly basis by a committee of physicians and dentists which have no financial interest in the center.
 - (b) Reviews shall be made of admissions and professional services furnished including utilization of surgical services and tissue reports.
- (16) Fire control or disaster plan. The surgical center shall have a written procedure to be followed in case of fire, explosion or other emergency. It shall specify persons to be notified, locations of alarm signals and fire extinguishers, evacuation routes, procedures for evacuating patients, frequency of fire drills and assignment of specific tasks and responsibilities to the personnel.
- (a) The plan shall be developed with the assistance of qualified fire and safety experts.
 - (b) All personnel shall be trained to perform assigned tasks.
 - (c) Simulated drills testing the effectiveness of the plan shall be conducted at least three (3) times a year.
 - (d) The plan shall be posted throughout the facility.

HOWARD L. BOST, Chairman

Certificate of Need and Licensure Board

ADOPTED: April 8, 1975

APPROVED:

C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: April 15, 1975 at 4:02 p.m.

Proposed Regulations

GENERAL ASSEMBLY
Board of Ethics
(2 KAR 1:010)

RELATES TO: KRS 6.690 to 6.700

PURSUANT TO: KRS 6.700(3)

NECESSITY AND FUNCTION: These rules of procedure are to prescribe the practice and procedure governing the manner and form in which proceedings shall be initiated and conducted by the Board of Ethics. This regulation is to assure uniformity of the practice and procedures of and before the Board of Ethics.

Section 1. Definitions. (1) "Board" means Board of Ethics.

(2) "Chairman" means Chairman of the Board of Ethics.

(3) "Clerk" means Clerk of the Board of Ethics.

(4) "Complaint" means a formal written statement accusing one or more persons of an offense, found by the Board of Ethics.

(5) "Respondent" means a person against whom a charge is filed.

(6) "Receipt of a complaint" means a complaint may be lodged with the chairman or the clerk of the board, either of whom shall bring it to the attention of the board at its next meeting. When a complaint is brought to the attention of the board at a meeting, the complaint shall be deemed to have been received by the board.

Section 2. Purpose and Policy. These rules shall govern the proceedings of the board and its subcommittees when applicable. It shall be the policy of the board that its proceedings shall be open to the public and to the press unless forbidden by the enabling statutes or by necessary implication from such statutes.

Section 3. Meetings. The board shall meet upon call of the chairman, or on the written request of any two (2) members and may meet at such times as the members in meeting assembled may decide. Unless the board decides otherwise, all meetings shall be held in the state capital, and shall be open to the public so far as permitted by statute.

Section 4. Quorum. (1) Four (4) members of the board or the majority of the members of any committee shall constitute a quorum for the transaction of business.

(2) If a complaint is made against a member of the board or a member is directly and substantially involved in a complaint, he shall not take part in the hearing process or in the deliberations of the board relative thereto.

Section 5. Decisions on Complaints and Investigations: Advisory Opinions in Ethical Matters. At any regular meeting, the board shall receive complaints, render decisions on initiating investigations of charges of violation of legislative ethics and deliver advisory opinions on ethical matters.

Section 6. Initiation of Disciplinary Cases. (1) When it comes to the attention of the board, or any member thereof, that a legislator may have been guilty of conduct unbecoming to a legislator, or which constitutes a breach of public trust in the discharge of his legislative responsibilities, has violated the provisions of KRS 6.610 to 6.625, 6.630 to 6.650, 6.675 or 6.680, or has been complained against for such conduct, or that any person has violated the provisions of KRS 6.675 or 6.680, the matter shall be reported to the chairman, who shall cause such preliminary investigation to be made as he may deem necessary to obtain information to bring the matter to the attention of the board.

(2) If the board is in receipt of a written sworn statement that an unlawful practice has been committed and which statement sets forth facts upon which the complaint is based, the board shall decide within thirty (30) days of the receipt of the complaint, whether or not the complaint warrants a full investigation. Such full investigation shall begin only after authorization by a majority of the members of the board.

Section 7. Unfounded Complaints. (1) If the chairman deems any accusation, letter or complaint against a legislator or other person unfounded or not within the jurisdiction of the board, he may withhold action thereon, until the next meeting of the board at which time he shall submit the matter to the board.

(2) A complaint which does not relate to the conduct of a legislator with regard to the discharge of his responsibilities in or toward the General Assembly, shall be deemed unfounded or not within the jurisdiction of the board and the chairman may decline to entertain it without referring the matter to the board. He may direct the clerk to return the complaint to the person from whom received with a letter of explanation.

(3) The board shall review each such action of the chairman and may initiate an investigation if the board is not in agreement with the action of the chairman.

(4) When a complaint is referred to the board by the chairman, the board may, with or without investigation, decline to entertain the complaint, if it deems the complaint to be without foundation or beyond the jurisdiction of the board.

(5) The board may direct the clerk to return the complaint

to the person from whom received, with a letter of explanation.

(6) If the board determines there has been no violation of statutory prohibitions, but there has been unethical conduct, the board may initiate an investigation thereof pursuant to the provisions of KRS 6.685 or 6.700 even though no charges may be preferred.

Section 8. Investigations and Hearings to be Prompt. All proceedings, investigations and hearings shall be begun, prosecuted and completed as promptly as the ends of justice will permit.

Section 9. Complaints, Form, by Whom and Where Filed. (1) If the board determines, after a preliminary investigation, that probable cause exists to support an alleged violation as determined by a majority vote of the board, a complaint shall be preferred against the legislator. All votes upon preferring a complaint shall be secret.

(2) When it is determined by the board that a complaint will be made, the complaint shall be prepared in writing, stating the name and present or last known address of the respondent and the facts alleged to constitute conduct unbecoming a legislator, the breach of a public trust, or the violation of the provisions of KRS 6.610 to 6.625, 6.630 to 6.650, 6.675 or 6.680. The complaint shall be signed by the chairman, or such other officer of the board as the board may authorize, and shall be filed in the office of the clerk.

(3) Any number of acts or omissions and any number of separate and distinct transactions alleged to constitute unethical legislative conduct may be alleged in a single complaint, but each act or omission shall be set out in a separate count.

(4) The board shall designate the person or persons to prepare the charge or charges. This person may be the clerk, a member of the board, or counsel to be designated by the board. The person so designated shall have the responsibility of handling the matter before the hearing committee, if one is required, and before the board.

(5) Separate complaints may, by order of the board, be consolidated and heard as a single case.

(6) A complaint may be filed against two (2) or more persons if based upon the same or related sets of facts, and separate complaints against two (2) or more persons based upon the same or related sets of facts may, at the board's discretion, be consolidated and heard as a single proceeding.

(7) When two (2) or more persons are proceeded against in the same proceeding, a hearing committee shall make a separate report to the board on each respondent.

Section 10. Notice of Filing Complaints; Time to Answer. Upon the filing of a complaint, the clerk, by certified mail, with return receipt requested, shall furnish the respondent with a copy of the complaint and notify him:

(1) Of the name and address of the attorney or representative for the board responsible for the handling of the case.

(2) That he must, within twenty (20) days after the receipt of the notice, file his answer and three (3) copies with the clerk and serve a copy of his answer on the attorney or representative for the board by mailing or delivering a copy to him.

Section 11. Pleading and Preliminary Motions. (1) There shall be a complaint and an answer and, when permitted by the hearing committee, a reply and such amendments to the pleadings as may be required to serve the ends of justice. Averments in an answer or response shall be taken as denied or avoided. No preliminary motions may be filed, except:

- (a) For a more definite statement of the complaint or answer, or
- (b) Challenging the qualifications of the hearing committee.

(2) All pleadings shall be filed with the clerk and copies served upon opposing parties or their counsel as provided by the rules of civil procedure of the Kentucky Court of Appeals.

Section 12. Appointment of a Hearing Committee. If the pleadings present any issue of fact, the chairman shall appoint a hearing committee comprised of three (3) members of the Board of Ethics, one (1) of whom shall be designated by the chairman as presiding officer. The presiding officer shall have the power to request issuance of subpoenas to compel attendance of witnesses or the production of documents, and may seek the aid of any circuit court or other governmental agencies or instrumentalities as authorized by the provisions of KRS 6.700(8). The clerk shall immediately notify each member of the hearing committee of his appointment and shall furnish each with a copy of the pleadings.

Section 13. Notice of Appointment of Hearing Committee and Hearing. Upon the appointment of the hearing committee, the clerk shall notify the parties to the proceeding of the names and addresses of its members and of the person or counsel who is handling the complaint for the board. The presiding officer of the hearing committee shall fix the time and place of the hearing and the clerk shall give notice thereof to the parties by mail. Such hearing shall be not less than twenty (20) days after the date of the mailing of the notice, or the delivery thereof to the parties.

Section 14. Rights of Persons in Hearings or Proceedings. (1) The respondent against whom a complaint has been filed shall have the right to be represented by counsel and entitled to a hearing before the hearing committee. He shall have all the rights secured to a party by the rules of civil procedure

with respect to the introduction of evidence, the right to compel the attendance of witnesses, to copy documents, and to compel the production of books, papers and documents or other writings. He shall have the right to an oral argument or to file a brief before the hearing committee. He shall be afforded a full opportunity to remain silent, to defend himself by the introduction of evidence and to cross-examine witnesses appearing against him.

(2) Any person whose name is mentioned at any investigation or hearing shall be entitled to testify or file a sworn statement with the hearing committee or the board, if he feels he is adversely affected.

(3) A respondent shall be advised prior to the beginning of a hearing that, pursuant to the provisions of KRS 6.700(7) and 6.700(10), he has the right to require that the hearings be public and that he has the further right to request that the findings of the board be published. The respondent shall also be advised that if no violation is found, the board is required by statute to retain its findings in confidence, unless the respondent requests the facts be made public.

Section 15. When Charges May be Taken as Confessed. The hearing committee may take the allegations of the charge as admitted or confessed if a respondent, who is notified of the charge by the board, files an answer admitting the charges or fails to file an answer within the time provided in these rules. The hearing committee may, in its discretion, receive such evidentiary material as it deems may be of assistance to it in making its recommendation to the board.

Section 16. Proceedings When Pleadings Present Only an Issue of Law. If the pleadings represent only an issue of law, the board shall fix a time for filing of briefs. The board shall have the right to receive evidentiary material if it deems such may be of assistance. Thereafter, the board shall consider the briefs and report its recommendations to the proper house of the General Assembly, to the Attorney General, or to any other appropriate law enforcement officer.

Section 17. Order of Proceeding and Burden of Proof. The hearing committee shall determine and regulate the order of proceedings at the hearing. Upon the application of a party or upon the direction of the chairman of the hearing committee, the chairman of the board shall issue subpoenas for the attendance of witnesses or the producing of evidence. The burden of proof shall rest upon the board in disciplinary proceedings and the facts must be proved by preponderance of the evidence. Before the report of the matter to the board, the hearing committee may direct such oral arguments as it deems appropriate and receive briefs from all parties on such terms as it may impose. After submission of the matter to the hearing committee, there shall be no further oral arguments or briefing either before the hearing committee or before the board, unless requested by them.

Section 18. Introduction and Admissibility of Evidence. The testimony at all hearings shall be in person, except that depositions may be used under the same standards as those prescribed by the Kentucky rules of civil procedure. The rules of evidence in civil actions shall apply.

Section 19. Transcript of Evidence. The proceedings before the hearing committee shall be reported by a reporter appointed by the hearing committee. However, if, after hearing by the hearing committee, the committee is of the unanimous opinion the charge or charges should be dismissed, or the respondent should only be administered a reprimand, the hearing committee may, with the consent of all parties, direct the reporter to preserve all notes of the hearing, but defer a transcription of the record until ordered by the board to prepare such a transcript. In all other proceedings, the testimony shall be transcribed.

Section 20. Hearing Committee to File Report with the Board. (1) When a proceeding before a hearing committee has been finally submitted, the committee shall file promptly with the board, the entire transcript of the proceeding, the transcript of the testimony if it has been transcribed pursuant to the provisions of Section 19 hereof, together with such briefs as may have been filed and a written report in the nature of a finding of fact and conclusions of law, which shall contain a concise statement of:

- (a) The complaint made against and the defenses offered by the respondent.
- (b) The proceedings had.
- (c) The facts which the committee deems proved by a preponderance of the evidence, the committee's conclusions, and
- (d) Its recommendations as to the disposition of the case.

(2) The hearing committee's report shall constitute a part of the record in the case and a copy of the report shall be served upon the parties or upon their counsel, if the party is represented by counsel. The report shall be advisory.

Section 21. Statement of Findings. After submission of the matter, the board shall make a statement of its findings of fact. If the board, based on competent and substantial evidence, finds the respondent has committed an offense, it shall state its findings in writing in a report to the speaker of the house or speaker pro tem if the respondent is a member of the house, or to the president of the senate, or president pro tem, if the respondent is a member of the senate. Such report shall be signed by a majority of the board members. If the

board finds no offense was committed, it shall dismiss the complaint. The respondent, the complainant, and when appropriate, the attorney general and the local prosecutor, should be apprised promptly of the board's action and its report.

Section 22. Availability of Records. (1) Recognizing that the board of ethics has been given a function of preparing indictments or complaints to be heard before the respective houses of the general assembly, the board owes a duty to individuals to protect their rights. Proceedings involving the disciplinary matters before the board prior to the filing of charges shall be confidential as in grand jury matters, unless the board shall otherwise direct by order entered in the record of the proceeding.

(2) If the board finds an offense has been committed, or if a party requests it to do so, the board may publish written reports of its inquiries, findings and conclusions. If no offense is found, the board, pursuant to the provisions of KRS 6.700(9), cannot make public that a complaint or charge was without foundation. A report of the findings of the board shall be supplied to the parties to the proceeding. The parties shall have the right to make such findings public.

Section 23. Public Records. The board shall maintain a record of its investigations, inquiries and proceedings. All records, complaints, documents and reports filed with the board in connection with disciplinary matters shall be kept confidential and shall not be given to inspection by any person other than the parties, a member of the board, or their employees, except as specifically authorized by the board.

Section 24. Report of Board. (1) If the board finds that a respondent should stand accused formally of unethical legislative conduct, or has violated statutes or constitutional standards imposed upon the legislature, it shall so report to the appropriate authority or authorities.

(2) If the board has filed a report with the speaker of the house or speaker pro tem if the respondent is a member of the house, or to the president of the senate, or president pro tem, if the respondent is a member of the senate, recommending action, and no legislative action is forthcoming within one (1) month following such filing, the board's findings and its report shall be made public, unless the board shall, at that time, order the findings and report to remain confidential.

Section 25. Advisory Opinions. (1) Any legislator may request the board to render an advisory opinion on matters of ethics, on propriety of conduct in a factual situation, or constitutional or statutory issues involving the conduct of legislative affairs. Such opinions shall be requested in writing, setting forth the factual situation and the issue or question involved. The request for an opinion shall be filed with the clerk of the board.

(2) If the general assembly is not in session at the time of filing, the question shall be presented to the chairman of the board and the board shall render an opinion on the question at its next meeting or within thirty (30) days, whichever first occurs, if, in the judgment of the board, an opinion is required. If no opinion is rendered in thirty (30) days, or at its next meeting, the factual situation which gave rise to the request shall be deemed not to violate sound ethical practices or legislative or constitutional provisions, in the opinion of the board.

(3) During sessions of the general assembly, the board shall meet within a week of the filing of a request for an advisory opinion. A failure by the board to respond to a request shall be tantamount to a judgment of the board that it sees no violation of good ethical practices or of any statutory or constitutional standard in the issue presented.

(4) Opinions of the board on requests for advisory opinions shall be made public promptly, with any deletions as the board may deem proper, in order that all interested parties may be informed of the standards. "No response" opinions shall be made public and shall also be included in any compilation of opinions the board may develop.

(5) Meetings in which advisory opinions are considered shall be open to the public, unless the board shall otherwise direct. The board may request and may receive testimony from members of the general assembly, or other qualified persons, as to the matters and issues involved. It shall be the policy of the board to encourage expressions of opinion from members of the general assembly in hearings involving ethical matters.

Section 26. Acceptance of Compensation from Private Source. (1) A member of the general assembly may accept contributions from private sources for use in defraying expenses necessarily related to the adequate performance of his or her legislative duties. Such contributions shall not be in excess of the expenses sought to be defrayed.

(2) If such contribution is made when the general assembly is in session or if the general assembly convenes within ten (10) days of such contribution, the recipient shall file a verified statement with the clerk of the board within ten (10) days, setting forth the contribution received, the source thereof, the amount or reasonable value thereof, the date received, and the purpose to which the contribution was or is to be applied. If the general assembly is not in session or does not convene within ten (10) days after receipt, the report shall be filed within thirty (30) days of the receipt thereof.

(3) Supplying of transportation or tickets for transportation, costs of lodging and other expenses in excess of twenty-five dollars (\$25) shall be listed upon the statement. For the purpose of these rules, sharing of transportation by pri-

vate car with other members of the general assembly shall not be considered a contribution.

(4) Unless the board shall otherwise direct, the statements shall be filed and maintained by the clerk and the files shall be open for public inspection. The board may supply a form for such reports, but a narrative statement including the requisite information, verified as correct by the member and signed by him shall be acceptable.

SHELBY McCALLUM, Chairman

ADOPTED: September 12, 1974

RECEIVED BY LRC: March 18, 1975 at 12:47 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Board of Ethics, Fifth Floor, State National Bank Building, Frankfort, Kentucky 40601.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:005)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-1

NECESSITY AND FUNCTION: To define terms used in the administration of the Kentucky Seed Law and Regulations.

Section 1. Terms used in the administration of the seed law and regulations and not otherwise defined shall have the following meaning:

(1) The term "lot" means a definite quantity of seed identified by a lot number or other mark, every portion or bag of which is uniform, within recognized tolerances, for the factors which appear in the labeling.

(2) The term "kind" means one (1) or more related species or sub-species which singly or collectively is known by one (1) common name, for example, tall fescue, oats, red clover, and timothy.

(3) The term "variety" means a subdivision of a kind which is characterized by growth, yield, plant, fruit, seed or other characteristics, by which it can be differentiated from other plants of the same kind, for example, Compact oats, Kenland red clover, and Clair timothy.

(4) The term "hybrid" means the first generation seed of a cross produced by controlling the pollination and by combining:

(a) Two (2) or more inbred lines.

(b) One (1) inbred or a single cross with an open-pollinated variety.

(c) Two (2) varieties or species, except open-pollinated varieties of corn (*Zea mays*).

The second generation or subsequent generations from such crosses shall not be regarded as hybrids. Hybrid designations shall be treated as variety names.

(5) The term "advertised" means all representations, other than those on the label, disseminated in any manner or by any means, relating to seed within the scope of this act.

(6) The term "approximate" as used in the Kentucky Seed Law shall mean within the applicable tolerances of the "Rules for Testing Seeds" of the Association of Official Seed Analysts published in 1970 and as subsequently amended by the Association of Official Seed Analysts.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 10:45 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:010)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-2

NECESSITY AND FUNCTION: To prescribe the methods of sampling, analyzing, and testing seed, and the tolerances to be applied in the administration of the Kentucky Seed Law and regulations.

Section 1. The methods of sampling, analyzing, testing and examining seed, and the tolerances to be applied in the administration of the Kentucky Seed Law and regulations shall be the same, except as otherwise stated, as prescribed in the current "Rules for Testing Seeds" of the Association of Official Seed Analysts, published in 1970 and as subsequently amended by the Association of Official Seed Analysts.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 10:48 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:015)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-3

NECESSITY AND FUNCTION: To identify terms commonly used in testing and labeling seed, and for uniformity among states adopting definitions of these terms as approved by the Association of Official Seed Analysts.

Section 1. The terms "pure seed," "germination," "other crop seed," "inert matter" and other seed labeling and testing terms in common usage are defined, unless otherwise stated, as in the current "Rules for Testing Seeds" of the Association of Official Seed Analysts published in 1970, and as subsequently amended by the Association of Official Seed Analysts.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 10:49 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:020)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-4

NECESSITY AND FUNCTION: To designate the kinds of weed seed to be noxious in Kentucky and to establish the maximum permitted rate of occurrence in agricultural seed.

Section 1. The following kinds of weed seed are designated noxious in Kentucky and the maximum permitted rate of occurrence per ounce of agricultural seed is established.

NAME OF KIND	ALLOWED PER OUNCE
Canada Thistle (<i>Cirsium arvense</i>)	0
Johnsongrass (<i>Sorghum halepense</i>) and sorghum alnum and perennial rhizomatous derivatives of these	0
Quackgrass (<i>Agropyron repens</i>)	0
Annual Bluegrass (<i>Poa annua</i>)	16
Buckhorn Plantain (<i>Plantago lanceolata</i>)	19
Corncockle (<i>Agrostemma githago</i>)	12
Dodder (<i>Cuscuta</i> spp.)	12
Giant Foxtail (<i>Setaria faberii</i>)	12
Ox-eye Daisy (<i>Chrysanthemum leucanthemum</i>)	16
Sorrel (<i>Rumex acetosella</i>)	16
Wild Onion and Wild Garlic (<i>Allium</i> spp.)	6

Section 2. Seed which contains in excess of a sum total of thirty (30) noxious-weed seed per ounce (subject to the above limitations) is prohibited from sale in Kentucky.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 10:51 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:025)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-5

NECESSITY AND FUNCTION: To establish the maximum amount of weed seed that may be present in agricultural seed sold in Kentucky.

Section 1. No agricultural seed, except Striate lespedeza, Korean lespedeza, and mixtures of same, containing more than two (2) percent weed seed by weight, including noxious-weed seed, shall be sold, exposed, or offered for sale in Kentucky unless special permission has been granted by the director. Striate lespedeza, Korean lespedeza, and mixtures of same may contain three (3) percent weed seed, including noxious-weed seed.

Section 2. Seed containing weed seed in excess of two (2)

percent by weight (three (3) percent for Striate lespedeza, Korean lespedeza, and mixtures of same) including noxious-weed seed, shall carry a special label or tag as prescribed by the director.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975
RECEIVED BY LRC: March 17, 1975 at 10:51 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:030)

RELATES TO: KRS 250.020 to 250.170
PURSUANT TO: KRS 250.100
SUPERSEDES: AES-1 (1970)-6
NECESSITY AND FUNCTION: To establish the minimum germination percentage of agricultural seed sold in Kentucky.

Section 1. No agricultural seed shall be sold, exposed, or offered for sale in Kentucky unless the combined germination, hard seed and/or dormant seed is at least sixty (60) percent of the total.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975
RECEIVED BY LRC: March 17, 1975 at 10:52 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:035)

RELATES TO: KRS 250.020 to 250.170
PURSUANT TO: KRS 250.100
SUPERSEDES: AES-1 (1970)-7
NECESSITY AND FUNCTION: To prescribe the period of time the germination test date is valid.

Section 1. No seed shall be sold, exposed for sale, or offered for sale within Kentucky when a period of more than twelve (12) calendar months (tobacco nine (9) months) has elapsed, exclusive of the month in which the test was completed, between the germination test date and the time the seed are sold, exposed for sale or offered for sale, except as provided for seed packaged in hermetically sealed containers.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975
RECEIVED BY LRC: March 17, 1975 at 10:53 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:040)

RELATES TO: KRS 250.020 to 250.170
PURSUANT TO: KRS 250.100
SUPERSEDES: AES-1 (1970)-8
NECESSITY AND FUNCTION: To prescribe the period of time the germination test is valid on seed packaged in hermetically sealed containers, and to identify the package and label requirements necessary for seed to qualify as hermetically sealed seed.

Section 1. The period of validity of the germination test of seed packaged in hermetically sealed containers is extended to eighteen (18) months when in possession of the wholesaler, and twenty-four (24) months when in the possession of the retailer; provided, the conditions and specifications set forth in the rules and regulations under the Federal Seed Act, as last published, on preconditioning, container characteristics, packaging, and labeling are met. The specific labeling required in the rules and regulations under the Federal Seed Act for such seed shall be in addition to the general labeling requirements specified in KRS 250.040 to 250.060 of the Kentucky Seed Law and regulations pertaining thereto.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975
RECEIVED BY LRC: March 17, 1975 at 10:53 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:045)

RELATES TO: KRS 250.020 to 250.170
PURSUANT TO: KRS 250.100
SUPERSEDES: AES-1 (1970)-9
NECESSITY AND FUNCTION: To prescribe the manner of labeling seed to reflect the percentages of germination, hard seed, and dormant seed.

Section 1. The percent of hard seed and/or dormant seed shall be shown on the analysis tag or label, but shall not be included in the germination percentage.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975
RECEIVED BY LRC: March 17, 1975 at 10:53 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:050)

RELATES TO: KRS 250.020 to 250.170
PURSUANT TO: KRS 250.100
SUPERSEDES: AES-1 (1970)-10
NECESSITY AND FUNCTION: To identify the person responsible for maintaining a current germination test date on seed sold or offered for sale, to specify the disposition to be made of seed labeled to reflect an expired germination test date, and prescribe the manner of relabeling seed to reflect a current germination test date.

Section 1. Seed remaining in the inventory of a distributor or dealer after the germination test has expired shall be removed from sale or relabeled. New percentages of germination, hard seeds, and/or dormant seed and the new date of germination test may be entered on the tags or labels previously attached to the container only if inserted in such a way as to be clearly legible and the old percentages of germination, hard seeds and/or dormant seed and date of test are completely obliterated. The attachment of new tags is advised. The person upon whose premises the seed is located shall be held responsible for obtaining the new germination test and for subsequent relabeling of the seed.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975
RECEIVED BY LRC: March 17, 1975 at 10:54 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:055)

RELATES TO: KRS 250.020 to 250.170
PURSUANT TO: KRS 250.100
SUPERSEDES: AES-1 (1970)-11
NECESSITY AND FUNCTION: To require identification of seed in storage; in, or consigned to, a seed cleaning or processing plant, but not offered for sale.

Section 1. Any lot of seed in storage; in, or consigned to, a seed cleaning or processing establishment for cleaning, processing, or any other purpose, or for sale outside the state only, shall be plainly identified showing the specific purpose for which it is held.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975
RECEIVED BY LRC: March 17, 1975 at 10:55 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:060)

RELATES TO: KRS 250.020 to 250.170
PURSUANT TO: KRS 250.100
SUPERSEDES: AES-1 (1970)-12
NECESSITY AND FUNCTION: To prescribe the manner of labeling seed distributed to wholesalers, retailers, and consumers.

Section 1. After seed has been processed it must be labeled before distribution to any person, including a wholesaler. Each bag or bulk lot must be completely labeled when supplied to a retailer or consumer. Labeling of seed supplied to or owned by a wholesaler (one whose predominant business is to

supply seed to other distributors rather than to consumers of seed) may be by a key tag or laboratory report accompanying the invoice, provided each bag or other container is clearly identified by a lot number stenciled on the container, or if the seed is in bulk. Each bag or container that is not so identified must carry complete labeling.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 10:55 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:065)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-13

NECESSITY AND FUNCTION: To provide uniformity in labeling lawn and turf seed mixtures and to prescribe the label format for lawn and turf seed mixtures.

Section 1. The label for seed mixtures for lawn and/or turf purposes in containers of more than one (1) ounce shall bear thereon:

(1) The word "mixed" or "mixture."

(2) The headings "fine-textured grasses" and "coarse kinds" and thereunder in tabular form in type no larger than the heading:

(a) Commonly accepted name, in order of its predominance, of the kind, or kind and variety of each agricultural seed present in excess of five (5) percent of the whole and determined to be a "fine-textured grass" or a "coarse kind" in accordance with the classification under this regulation.

(b) The term "none" or "none claimed" shall be printed under the appropriate heading "fine-textured grass" or "coarse kinds" in the absence of an appropriate entry.

(c) For each agricultural seed named under paragraph (a): the percentage by weight of pure seed; the percentage of germination exclusive of hard seed; the percentage of hard seed, if present; and the calendar month and year the germination tests were completed.

(3) The heading "other ingredients" and thereunder in conspicuous type no larger than the heading:

(a) The percentage by weight of all weed seeds.

(b) The percentage by weight of all agricultural seed other than those listed on the label as "fine-textured grasses" or "coarse kinds."

(c) The percentage by weight of inert matter.

(4) The name and number per ounce of each kind of noxious-weed seed present.

(5) The name and address of the person who labeled the seed, or who sells, offers or exposes the seed for sale within Kentucky.

(6) Lot number, or other identification.

Section 2. For purposes of labeling lawn and/or turf seed mixtures, "fine-textured grasses" shall include those kinds of varieties approved as "fine-textured grasses" by the Association of American Seed Control Officials at the Biennial Conference of said Association in 1961 and as subsequently amended by said association after approval of the Joint Legislative Committee of AASCO, ASTA, AOSA, and AOSCA. All kinds or varieties not so designated as "fine-textured grasses" must be listed under the heading "coarse kinds." A list of the "fine-textured grasses" and "coarse kinds" may be obtained from the director or his agent.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 10:56 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:070)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-14

NECESSITY AND FUNCTION: To define the term "treated" seed and to prescribe the manner of labeling seed "treated" as defined in this regulation.

Section 1. The term "treated" as used in this regulation means that the seed has been given an application of a substance or subjected to a process designed to reduce, control, or repel certain disease organisms, insects or other pests which attack seeds or seedlings grown therefrom.

Section 2. All seed treated as defined above shall be

labeled to show the following:

(1) A statement in no less than eight (8) point type indicating that the seed has been treated.

(2) The commonly accepted coined, chemical or abbreviated chemical (generic name of the applied substance or a description of the process, other than application of a substance) used in such treatment in type no smaller than eight (8) points.

(3) A caution statement if the substance used in such treatment in the amount remaining with the seed is harmful to humans or other vertebrate animals, as follows:

(a) Seed treated with a mercurial or similarly toxic substance, if any amount remains with the seed, shall be labeled to show a statement such as "poison," "poison treated," or "treated with poison." The word "poison" shall be in red letters on a distinctly contrasting background. In addition, the label shall show a representation of a skull and crossbones at least twice the size of the type used for the name of the substance and the statement indicating that the seed has been treated.

(b) Seed treated with other harmful substances (other than mercurials or similarly toxic substances), if the amount remaining with the seed is harmful to humans or other vertebrate animals shall be labeled to show a caution statement, in type no smaller than eight (8) points such as "do not use for food, feed or oil."

(4) The classification of chemicals into (i) mercurials and similarly toxic substances and (ii) other harmful substances, as set forth in the rules and regulations under the Federal Seed Act as last published and any subsequent amendments thereto are adopted.

(5) The required information may be printed on a separate tag, or on the seed tag or label bearing the analysis information (except official Kentucky tags), or it may be printed on the side or top of the container in a conspicuous manner.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 10:58 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:075)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-15

NECESSITY AND FUNCTION: To prescribe the types of labeling and the tag and label forms to be used in labeling seed.

Section 1. The requirements for labeling seed sold, exposed or offered for sale in the Commonwealth of Kentucky shall be accomplished by use of one (1) of the following types of labels:

(1) Printing the required information directly on the container. Such printing or label to be provided by the person labeling the seed after applying for and receipt of a permit.

(2) A tag, containing the required information, attached to the containers. Such tags to be provided by the person labeling the seed after applying for and receipt of a permit.

(3) A label, containing the required information, in the form of a tag or gummed label provided by the Division of Regulatory Services of the Kentucky Agricultural Experiment Station. These labels are made in three (3) forms. Form "A" is Manila. It is to be used on unmixed alfalfas, clovers, and grasses. Form "B" is Yellow. It is to be used on cereal, garden, and truck crop seed, including seed potatoes. Form "C" is Green. It is to be used on seed mixtures. A gummed label is for use on tobacco seed (except Kentucky certified).

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 10:59 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 1:080)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-16

NECESSITY AND FUNCTION: To prescribe the method for obtaining a permit to use own tags or labels in lieu of official Kentucky tags and to provide the means of payment of inspection fee.

Section 1. Any person who distributes agricultural or vegetable seeds in the Commonwealth of Kentucky may apply to the director for a permit to use his own labeling, to report the quantity of seed sold and to pay the labeling and inspection

fee on the basis of said report in lieu of tags, labels, or stamps purchased from the director. The inspection fee paid by such permit holder shall be at the rate of eight (8) cents per 100 pounds of seeds of alfalfa, clover, and grasses and mixtures of same, with a minimum payment of two (2) cents for each package or container of one (1) pound or more, and shall be at the rate of four (4) cents per 100 pounds of all agricultural seeds other than alfalfas, clover, and grasses and for vegetable seeds, with a minimum payment of one (1) cent for each package or container of one (1) pound or more, except tobacco. The inspection fee on tobacco seed (except Kentucky certified) shall be one (1) cent per package.

Section 2. In making application for said permit the distributor shall agree to:

(1) Label the seed with the information required by KRS 250.040 to 250.060, and regulations promulgated by the director.

(2) Keep such records as the director may consider necessary to indicate accurately the number and size of containers of each kind of agricultural and vegetable seed distributed, and the quantity of such seeds distributed in bulk.

(3) Grant the director or his authorized representative permission to examine such records and verify the statement of quantity of seeds distributed.

(4) Report under oath to the director on forms furnished by the director the quantity of agricultural and vegetable seeds sold during the period covered.

Section 3. The director may grant the permit if he determines that such a report of agricultural and vegetable seeds will lead to efficient enforcement of the act. The report of sales shall be due and the inspection fees payable quarterly, on the 10th day of the month following the end of the quarter.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:00 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION (12 KAR 1:085)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-17

NECESSITY AND FUNCTION: To identify illegal acts in the labeling and sale of seed.

Section 1. It is illegal for any person to sell, offer or expose for sale, seeds not labeled to comply with, or otherwise not in compliance with, the Kentucky Seed Law and regulations promulgated thereunder, or to counterfeit the official label or to use a counterfeit in lieu of the official label, or to use the same label a second time.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:00 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION (12 KAR 1:090)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-18

NECESSITY AND FUNCTION: To provide for a means of administrative action in the form of a "Stop Sale Order" against seed found by analysis, test, examination, or representation to be in violation of the Kentucky Seed Law and regulations.

Section 1. A written, printed, or verbal (followed by a written or printed) stop sale order may be issued on any lot of seed found by analysis, test or examination, or upon examination of the label or other graphic or printed representations, or the director or his agent has reasonable cause to believe a lot of seed to be in violation of the Kentucky Seed Law and regulations pertaining thereto. Seed under a stop sale order may not be sold, exposed or offered for sale and may not be moved from the point where the stop sale was issued, until requirements of the Kentucky Seed Law and regulations have been complied with and a release has been issued by the director or his agent.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:01 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION (12 KAR 1:095)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-19

NECESSITY AND FUNCTION: To provide for the movement and storage of seed seized under authority of KRS 250.120.

Section 1. Seed seized under KRS 250.120 may be moved and stored in a warehouse selected by the enforcement agent.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:01 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION (12 KAR 1:100)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1970)-20

NECESSITY AND FUNCTION: To require keeping of records pertaining to seed subject to the Kentucky Seed Law and regulations and to specify what the records are to include.

Section 1. The person, firm, or corporation labeling seed subject to this act shall keep for a period of two (2) years complete records of each lot of seed handled and keep for one (1) year after final disposition of lot a file sample of each lot of seed handled. Such records shall include declarations, reports, analyses, tests, and examinations used as a basis for labeling the seed, and processing and shipping records.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:02 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION (12 KAR 1:105)

RELATES TO: KRS 250.020 to 250.170

PURSUANT TO: KRS 250.100

SUPERSEDES: AES-1 (1973)-21

NECESSITY AND FUNCTION: To establish a schedule of charges for service tests, analysis, and examination of seed samples submitted by residents and non-residents of Kentucky to the Seed Laboratory of the Kentucky Agricultural Experiment Station.

Section 1. Any person may submit to the Seed Laboratory of the Kentucky Agricultural Experiment Station samples of seed for analysis, test, and examination. The following service charges for such samples will be assessed. Non-residents will be assessed an additional charge of \$1.00 per sample. No samples will be tested free.

(1) Schedule of charges for complete test, purity analysis and noxious weed seed examination only, and germination test only:

Table 1. Schedule of Charges for:

Kind of Seed	Complete Test *	Purity and Noxious Only **	Germination Only
Alfalfa	\$3.00	\$2.00	\$2.00
Bentgrass	4.00	3.00	2.50
Bermudagrass	4.00	3.00	2.50
Bluegrass	4.00	3.00	2.50
Bromegrass	4.00	3.00	2.50
Cane	3.00	2.00	2.00
Cereals	3.00	2.00	2.00
Clovers	3.50	2.50	2.00
Corn	3.00	2.00	2.00
Crownvetch	3.00	2.00	2.00
Fescue	3.50	2.50	2.50
Lespedeza	4.00	3.00	2.00
Lovegrass	4.00	3.50	2.50
Millet	3.50	2.50	2.00
Milo	3.00	2.00	2.00
Orchardgrass	4.00	3.00	2.50
Redtop	4.00	3.00	2.50
Ryegrass	3.50	2.50	2.00
Sorghum	3.00	2.00	2.00
Sorghum-Sudangrass Hybrid	3.50	2.50	2.00
Soybean	3.00	2.00	2.00
Sudangrass	3.50	2.50	2.00
Timothy	3.50	2.50	2.00
Tobacco	3.00	2.00	2.00
Vegetables	3.00	2.00	2.00
Vetch	3.00	2.00	2.00

Table 2. Schedule of Charges for:

Mixtures	Complete Test *	Purity and Noxious Only **	Germination Only
Two components	\$5.00	\$4.00	\$3.00
Three components	6.00	5.00	4.00
Four components	7.00	6.00	5.00
More than four components	8.00	7.00	6.00

* Complete Test includes a purity analysis, a noxious weed seed examination (for Kentucky only), and a germination test.

** Purity and Noxious Only includes a purity analysis and a noxious weed seed examination (for Kentucky only).

(2) Schedule of charges for a noxious weed seed examination only and moisture test.

- (a) For Kentucky, \$2;
- (b) For All States, \$3;
- (c) Moisture Test, \$2.

(3) Additional information. Any re-examination of a sample to secure information not furnished on the original report, or any analysis or test to obtain information not specifically required by the Kentucky Seed Law, will be subject to a charge in proportion to the amount of work required.

Section 2. Charges for kinds not listed above will be according to other kinds of similar size.

Section 3. Uncleaned seed and low grade screenings will not be tested.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:03 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 2:006)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-1

NECESSITY AND FUNCTION: The function of this regulation is to define terms used in reference to commercial feeds and to name and define feed ingredients which may be used.

Section 1. The names and definitions for commercial feeds shall be the "Official Definition of Feed Ingredients" adopted by the Association of American Feed Control Officials and published in its official publication, except as the director designates otherwise in specific cases.

Section 2. The terms used in reference to commercial feeds shall be the official feed terms adopted by the Association of American Feed Control Officials and published in its official publication, except as the director designates otherwise in specific areas.

Section 3. The following commodities are hereby declared exempt from the definition of commercial feed, under the provision of KRS 250.501(4): raw meat; and hay, straw, stover, silages, cobs, husks, and hulls when unground and when not mixed or intermixed with other materials; provided that these commodities are not adulterated within the meaning of KRS 250.541(1).

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:03 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 2:011)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-2

NECESSITY AND FUNCTION: To establish a uniform format for presentation of labeling to the purchaser of animal feeds.

Section 1. Commercial feeds shall be labeled with the information prescribed in this regulation on the principal display panel of the product and in the following general format:

- (1) Net Weight.
- (2) Product name and brand name if any.
- (3) If drugs are used:
 - (a) The word "medicated" shall appear directly following and below the product name in type size no smaller

than one-half the type size of the product name.

- (b) The purpose of medication (claim statement).
- (c) The required direction for use and precautionary statements or reference to their location if the detailed feeding directions and precautionary statements required by 12 KAR 2:031 and 12 KAR 2:036 appear elsewhere on the label.
- (d) An active drug ingredient statement listing the active drug ingredients by their established name and the amounts in accordance with 12 KAR 2:021, Section 4.

(4) The guaranteed analysis of the feed as required under the provisions of KRS 250.521(1)(c) include the following items, unless exempted in paragraph (h) of this subsection, and in the order listed:

- (a) Minimum percentage of crude protein.
- (b) Maximum or minimum percentage of equivalent protein from non-protein nitrogen as required in 12 KAR 2:021, Section 5.
- (c) Minimum percentage of crude fat.
- (d) Maximum percentage of crude fiber.
- (e) Minerals, to include, in the following order: (i) minimum and maximum percentages of calcium (Ca); (ii) minimum percentage of phosphorus (P); (iii) minimum and maximum percentages of salt (NaCl); and (iv) other minerals.
- (f) Vitamins in such terms as specified in 12 KAR 2:021, Section 3.
- (g) Total sugars as invert on dried molasses products or products being sold primarily for their molasses content.
- (h) Exemptions:
 - 1. Guarantees for minerals are not required when there are no specific label claims and when the commercial feed contains less than six and one-half (6 1/2) percent of mineral elements.
 - 2. Guarantees for vitamins are not required when the commercial feed is neither formulated for nor represented in any manner as a vitamin supplement.
 - 3. Guarantees for crude protein, crude fat, and crude fiber are not required when the commercial feed is intended for purposes other than to furnish these substances and is represented as such or they are of minor significance relating to the primary purpose of the product such as drug premixes, mineral or vitamin supplements, and molasses.

(5) Feed Ingredients, collective terms for the grouping of feed ingredients, or appropriate statements as provided under the provisions of KRS 250.521(1)(d).

- (a) The name of each ingredient as defined in the official definitions of feed ingredients published in the official publication of the Association of American Feed Control Officials, common or usual name, or one approved by the director.
- (b) Collective terms for the grouping of feed ingredients as defined in the official definitions of feed ingredients published in the official publication of the Association of American Feed Control Officials in lieu of the individual ingredients; provided that:
 - 1. When a collective term for a group of ingredients is used on the label, individual ingredients within that group shall not be listed on the label.
 - 2. The manufacturer shall provide the Director of Regulatory Services, upon request, with a listing of individual ingredients, within a defined group, that are or have been used at manufacturing facilities distributing in or into the state.

(6) Name and principal mailing address of the manufacturer or person responsible for distributing the feed. The principal mailing address shall include the street address, city, state and zip code; however, the street address may be omitted if it is shown in the current city directory or telephone directory of the city or county wherein the manufacturer or distributor maintains his principal place of business.

(7) The information required in KRS 250.521(1)(a) to (e) must appear in its entirety on one (1) side of the label or on one (1) side of the container. The information required by KRS 250.521(1)(f) to (g) shall be displayed in a prominent place on the label or container but not necessarily on the same side as the above information. When the information required by KRS 250.521(1)(f) to (g) is placed on a different side of the label or container, it must be referenced on the front side with a statement such as "see back of label for directions for use." None of the information required by KRS 250.521 shall be subordinated or obscured by other statements or designs.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:04 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 2:016)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-3

NECESSITY AND FUNCTION: The function of this regulation is to establish uniformity in the use of brand and product names so as to inform and not mislead the purchaser.

Section 1. The brand or product name must be appropriate for the intended use of the feed and must not be misleading. If the name indicates the feed is made for a specific use, the character of the feed must conform therewith. A mixture labeled "dairy feed," for example, must be suitable for that purpose.

Section 2. Commercial, registered brand or trade names are not permitted in guarantees or ingredient listings.

Section 3. The name of a commercial feed shall not be derived from one (1) or more ingredients of a mixture to the exclusion of other ingredients and shall not be one representing any components of a mixture unless all components are included in the name; provided, that if any ingredient or combination of ingredients is intended to impart a distinctive characteristic to the product which is of significance to the purchaser, the name of that ingredient or combination of ingredients may be used as a part of the brand name or product name if the ingredient or combination of ingredients is quantitatively guaranteed in the guaranteed analysis, and the brand name or product name is not otherwise false or misleading.

Section 4. The word "protein" shall not be used in the product name of a feed that contains added non-protein nitrogen.

Section 5. When the name carries a percentage value, it shall be understood to signify protein and/or equivalent protein content only, even though it may not explicitly modify the percentage with the word "protein;" provided, that other percentage values may be permitted if they are followed by the proper description and the labeling is not false or misleading. When a figure is used in the brand name (except in mineral, vitamin, or other products where the protein guarantee is nil or unimportant), it shall be preceded by the word "number" or some other suitable designation.

Section 6. Single ingredient feeds shall have a product name in accordance with designated definition of feed ingredients as published in the official publication of the Association of American Feed Control Officials unless the director designates otherwise.

Section 7. The word "vitamin," or a contraction thereof, or any word suggesting vitamin can be used only in the name of a feed which is represented to be a vitamin supplement, and which is labeled with the minimum content of each vitamin declared, as specified in 12 KAR 2:021, Section 3.

Section 8. The term "mineralized" shall not be used in the name of a feed, except for "trace mineralized salt." When so used, the product must contain significant amounts of trace minerals which are recognized as essential for animal nutrition by an authority on animal nutrition such as the National Research Council.

Section 9. The term "meat" and "meat by-products" shall be qualified to designate the animal from which the meat and meat by-products is derived unless the meat and meat by-products are from cattle, swine, sheep, and goats.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:04 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 2:021)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-4

NECESSITY AND FUNCTION: To establish uniformity in the expression of guarantees so the purchaser is better informed as to the composition of the feed.

Section 1. The guarantees for crude protein, equivalent protein from non-protein nitrogen, crude fat, crude fiber and mineral guarantees (when required) will be in terms of percentage by weight.

Section 2. Commercial feeds containing six and one-half (6 1/2) percent or more mineral elements shall include in the guaranteed analysis the minimum and maximum percentages of calcium (Ca), the minimum percentage of phosphorus (P), and if salt is added, the minimum and maximum percentage of salt

(NaCl). Minerals, except salt (NaCl), shall be guaranteed in terms of percentage of the element. When calcium and/or salt guarantees are given in the guaranteed analysis such shall be stated and conform to the following:

(1) When the minimum is five (5) percent or less, the maximum shall not exceed the minimum by more than one (1) percentage point.

(2) When the minimum is above five (5) percent, the maximum shall not exceed the minimum by more than twenty (20) percent and in no case shall the maximum exceed the minimum by more than five (5) percentage points.

Section 3. Guarantees for minimum vitamin content of commercial feeds and feed supplements, when made, shall be stated on the label in milligrams per pound of feed except that:

(1) Vitamin A, other than precursors of vitamin A, shall be stated in USP units per pound.

(2) Vitamin D, in products offered for poultry feeding, shall be stated in International Chick Units per pound.

(3) Vitamin D for other uses shall be stated in USP units per pound.

(4) Vitamin E shall be stated in International or USP units per pound.

(5) Guarantees for vitamin content on the label of a commercial feed shall state the guarantee as true vitamins, not compounds, with the exception of the compounds, Pyridoxine Hydrochloride, Choline Chloride, Thiamine, and d-Pantothenic Acid.

(6) Oils and premixes containing vitamin A or vitamin D or both may be labeled to show vitamin content in terms of units per gram.

Section 4. Guarantees for drugs shall be stated in terms of percent by weight, except:

(1) Antibiotics present at less than 2,000 grams per ton (total) of commercial feed shall be stated in grams per ton of commercial feed.

(2) Antibiotics present at 2,000 or more grams per ton (total) of commercial feed shall be stated in grams per pounds of commercial feed.

(3) Labels for commercial feeds containing growth promotion and/or feed efficiency levels of antibiotics, which are to be fed continuously as the sole ration, are not required to make quantitative guarantees except as specifically noted in the Code of Federal Regulations, Title 21, for certain antibiotics, wherein, quantitative guarantees are required regardless of the level or purpose of the antibiotic.

(4) The term "milligrams per pound" may be used for drugs or antibiotics in those cases where a dosage is given in "milligrams" in the feeding directions.

Section 5. Commercial feeds containing any added non-protein nitrogen shall be labeled as follows:

(1) Complete feeds, supplements, and concentrates containing added non-protein nitrogen and containing more than five (5) percent protein from natural sources shall be guaranteed as follows: Crude Protein, minimum, ____% (this includes not more than ____% equivalent protein from non-protein nitrogen).

(2) Mixed feed concentrates and supplements containing five (5) percent or less protein from natural sources may be guaranteed as follows: Equivalent Crude Protein from Non-Protein Nitrogen, minimum ____%.

(3) Ingredient sources of non-protein nitrogen such as Urea, Di-Ammonium Phosphate, Ammonium Polyphosphate Solution, Ammoniated Rice Hulls, or other basic non-protein nitrogen ingredients defined in the Association of American Feed Control Officials shall be guaranteed as follows: Nitrogen, minimum, ____%. Equivalent Crude Protein from Non-Protein Nitrogen, minimum ____%.

Section 6. Mineral Phosphatic materials for feeding purposes shall be labeled with the guarantee for minimum and maximum percentage of calcium (when present), the minimum percentage of phosphorus, and the maximum percentage of fluorine.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:04 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 2:026)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-5

NECESSITY AND FUNCTION: To establish a systematic nomenclature for feed ingredients.

Section 1. The name of each ingredient or collective term for the grouping of ingredients, when required to be listed, shall be the name as defined in the "Official Definitions of Feed Ingredients" as published in the official publication of the Association of American Feed Control Officials, the common or usual name, or one approved by the director.

followed on each eqvt at each feeding and noted on

Section 2. The name of each ingredient must be shown in letters or type of the same size.

Section 3. No reference to quality or grade of an ingredient shall appear in the ingredient statement of a feed.

Section 4. The term "dehydrated" may precede the name of any product that has been artificially dried.

Section 5. A single ingredient product defined by the Association of American Feed Control Officials is not required to have an ingredient statement.

Section 6. Tentative definitions for ingredients shall not be used until adopted as official, by the Association of American Feed Control Officials, unless no official definitions exist.

Section 7. When the word "iodized" is used in connection with a feed ingredient, the feed ingredient shall contain not less than 0.007 percent iodine, uniformly distributed.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:05 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 2:031)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-6

NECESSITY AND FUNCTION: To ensure that commercial feeds bear adequate directions and precautionary statements to enable safe and effective use of the product.

Section 1. Directions for use and precautionary statements on the labeling of all commercial feeds and customer-formula feeds containing additives (including drugs, special purpose additives, or non-nutritive additives) shall:

(1) Be adequate to enable safe and effective use of the product for its intended purpose by users with ordinary knowledge of the intended purpose and use of such articles; and

(2) Include, but not be limited to, all information prescribed by all applicable regulations under the Federal Food, Drug and Cosmetic Act.

Section 2. Adequate directions for use and precautionary statements are required for feeds containing non-protein nitrogen as specified in 12 KAR 2:036.

Section 3. Adequate directions for use and precautionary statements necessary for safe and effective use are required on commercial feeds distributed to supply particular dietary needs or for supplementing or fortifying the usual diet or ration with any vitamin, mineral, or other dietary nutrient or compound.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:05 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 2:036)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-7

NECESSITY AND FUNCTION: To provide for the safe use of non-protein nitrogen in ruminant ration.

Section 1. Urea and other non-protein nitrogen products defined in the official publication of the Association of American Feed Control Officials are acceptable ingredients only in commercial feeds for ruminant animals as a source of equivalent crude protein and are not to be used in commercial feeds for other animals and birds.

Section 2. (1) If the commercial feed contains more than 8.75 percent of equivalent crude protein from all forms of non-protein nitrogen, added as such, or the equivalent crude protein from all forms of non-protein nitrogen, added as such, exceeds one-third (1/3) of the total crude protein, the label shall bear adequate directions for the safe use of feeds and a precautionary statement: "Caution: Use as Directed."

(2) The directions for use and the caution statement shall be in type of such size so placed on the label that they will be read and understood by ordinary persons under customary conditions of purchase and use.

Section 3. On labels such as those for medicated feeds which bear adequate feeding directions and/or warning statements, the presence of added non-protein nitrogen shall not require a duplication of the feeding directions or the precautionary statements as long as those statements include sufficient information to ensure the safe and effective use of this product due to the presence of non-protein nitrogen.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:05 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 2:041)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-8

NECESSITY AND FUNCTION: To assure that commercial feeds which contain additives are safe and effective when used according to label directions.

Section 1. Prior to approval of a registration application and/or approval of a label for commercial feed which contains additives (including drugs, other special purpose additives, or non-nutritive additives) the distributor may be required to submit evidence to prove the safety and efficacy of the commercial feed when used according to the direction furnished on the label.

Section 2. Satisfactory evidence of safety and efficacy of a commercial feed may be:

(1) When the commercial feed contains such additives, the use of which conforms to the requirements of the applicable regulation in the Code of Federal Regulations, Title 21, or which are "prior sanctioned" or "generally recognized as safe" according to the Food and Drug Administration for such use; or

(2) When the commercial feed is itself a drug as defined in KRS 205.501(7) and is generally recognized by the Food and Drug Administration as safe and effective for the labeled use or is marked subject to an application approved by the Food and Drug Administration under Title 21 U.S.C. 360 (b).

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:06 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 2:046)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-9

NECESSITY AND FUNCTION: To establish safeguards and limits for the use of substances which may have deleterious effects when used otherwise.

Section 1. For the purpose of KRS 250.541(1)(a), the terms "poisonous or deleterious substances" include but are not limited to the following:

(1) Fluorine and any mineral or mineral mixture which is to be used directly for the feeding of domestic animals and in which the fluorine exceeds 0.30 percent for cattle; 0.35 percent for sheep; 0.45 percent for swine; and 0.60 percent for poultry.

(2) Fluorine bearing ingredients when used in such amounts that they raise the fluorine content of the total ration above the following amounts: 0.009 percent for cattle; 0.01 percent for sheep; 0.014 percent for swine; and 0.035 percent for poultry.

(3) Soybean meal, flakes or pellets or other vegetable meals, flakes or pellets which have been extracted with trichlorethylene or other chlorinated solvents.

(4) Sulfur dioxide, Sulfurous acid, and salts of Sulfurous acid when used in or on feeds or feed ingredients which are considered or reported to be a significant source of vitamin B1 (Thiamine).

Section 2. All screenings or by-products of grains and seeds containing weed seeds, when used in commercial feed or sold as such to the ultimate consumer, shall be ground fine enough or otherwise treated to destroy the viability of such weed seeds so that the finished product contains no more than zero viable prohibited weed seeds per pound and not more than 480 viable restricted weed seeds per pound.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:06 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 2:051)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-10

NECESSITY AND FUNCTION: To ensure that feeds containing drugs and/or antibiotics are manufactured under conditions conducive to the production of a feed which, when fed as directed, is both safe and effective to the consuming animal and safe to the consumer of livestock products.

Section 1. For the purpose of enforcement of KRS 250.541(4) the director adopts the following as current good manufacturing practices:

(1) The regulations prescribing good manufacturing practices for medicated feeds as published in the Code of Federal Regulations, Title 21, Part 133, Sections 133.100-133.110.

(2) The regulations prescribing good manufacturing practices for medicated premixes as published in the Code of Federal Regulations, Title 21, Part 133, Sections 133.200-133.210.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:06 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 2:056)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-11

NECESSITY AND FUNCTION: To provide a current listing of facilities manufacturing commercial feed in the state. This will aid in the exchange of correspondence and collection of official feed samples.

Section 1. For the purpose of maintaining current files of feed manufacturers under KRS 250.511(1) of the Kentucky Feed Law, the list of manufacturers on file will be purged on January 1 of each year of all facilities not having current tonnage reports.

Section 2. Firms purged will be notified at the address of record and will be given the opportunity of being reinstated if the division is notified that reinstatement is desired.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:07 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 2:061)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-12

NECESSITY AND FUNCTION: To establish uniformity in the registration of commercial feeds. Require registration of manufacturers of custom-formula feed to assure compliance with provisions of the Kentucky Commercial Feed Law.

Section 1. For purpose of enforcement of KRS 250.511(2) each manufacturer will register, on forms available from the director, each feed distributed in Kentucky.

Section 2. Under authority of KRS 250.571(1) a distributor of custom formula feed will register as a custom formula feed distributor. Registration as a custom formula feed distributor will be dependent on agreement by the manufacturer to abide by labeling requirements of KRS 250.251(2) and maintenance by the manufacturer at the mill where formula feed is manufactured, of a file of custom formula mixes.

Section 3. Registration of a custom formula feed distributor shall be subject to cancellation under the same conditions as outlined for registered feeds under KRS 250.511(3) and 250.561(2) (b).

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:07 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 3:007)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-PF 1

NECESSITY AND FUNCTION: To define terms which serve as reference points in the application of labeling requirements to pet foods.

Section 1. "Principal display panel" means the part of a label that is most likely to be displayed, presented, shown or examined under normal and customary conditions of display for retail sale.

Section 2. "Ingredient statements" means a collective and contiguous listing on the label of the ingredients of which the pet food is composed.

Section 3. "Immediate container" means the unit, can, box, tin, bag, or other receptacle or covering in which a pet food is displayed for sale to retail purchasers, but does not include containers used as shipping containers.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:08 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 3:012)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-PF 2

NECESSITY AND FUNCTION: To establish a uniform format for presentation of labeling and delineate criteria for declaring product claims.

Section 1. The statement of net content and product name must be shown on the principal display panel. All other required information may be placed elsewhere on the label but shall be sufficiently conspicuous as to render it easily read by the average purchaser under ordinary conditions of purchase and sale.

Section 2. The declaration of the net content shall be made in conformity with the United States "Fair Packaging and Labeling Act" and the regulations promulgated thereunder.

Section 3. (1) The information which is required to appear in the "Guaranteed Analysis" shall be listed in the following order:

- (a) Crude protein (Minimum Amount);
- (b) Crude fat (Minimum Amount);
- (c) Crude fiber (Maximum Amount);
- (d) Moisture (Maximum Amount).

(2) Additional guarantees shall follow moisture.

Section 4. The label of a pet food shall specify the name and address of the manufacturer, packer, or distributor of the pet food. The statement of the place of business should include the street address, if any, of such a place unless such street address is shown in a current city directory or telephone directory of the city represented on the label as the manufacturer's or distributor's address.

Section 5. If a person manufactures, packages, or distributes a pet food in a place other than his principal place of business, the label may state the principal place of business in lieu of the actual place where each package of such pet food was manufactured or packaged or is to be distributed, if such statement is not misleading in any particular.

Section 6. A vignette, graphic, or pictorial representation of a product on a pet food label shall not misrepresent the contents of the package.

Section 7. The use of the word "proven" in connection with label claims for a pet food is improper unless scientific or other empirical evidence establishing the claim represented as "proven" is available.

Section 8. No statement shall appear upon the label of a pet food which makes false or misleading comparisons between that pet food and any other pet food.

Section 9. Personal or commercial endorsements are permitted on pet food labels where said endorsements are factual and not otherwise misleading.

Section 10. When a pet food is enclosed in an outer container or wrapper which is intended for retail sale, all required label information must appear on such outside wrapper or container unless all of the required label information is readily legible through apertures or transparencies in such outside container or wrapper.

Section 11. The words "dog food," "cat food," or similar designations must appear conspicuously upon the principal display panels of the pet food labels.

Section 12. The label of a pet food shall not contain an unqualified representation or claim, directly or indirectly, that the pet food therein contained or recommended feeding thereof, is or meets the requisites of a complete, perfect, scientific or balanced ration for dogs or cats unless such product or feeding:

(1) Contains ingredients in quantities sufficient to provide the estimated nutrient requirements for all stages of the life of a dog or cat, as the case may be, which have been established by a recognized authority on animal nutrition, such as the Committee on Animal Nutrition of the National Research Council of the National Academy of Sciences. (To the extent that the product's ingredients provide nutrients in amounts which substantially deviate from those nutrient requirements estimated by such a recognized authority on animal nutrition, or in the event that no estimation has been made by a recognized authority on animal nutrition of the requirements of animals for one (1) or more stages of said animals' lives, the product's represented capabilities in this regard must have been demonstrated by adequate testing.)

(2) Contains a combination of ingredients which when fed to a normal animal as the only source of nourishment will provide satisfactorily for fertility of females, gestation and lactation, normal growth from weaning to maturity without supplementary feeding and will maintain the normal weight of an adult animal whether working or at rest and has had its capabilities in this regard demonstrated by adequate testing.

Section 13. Labels for products which are compounded for or which are suitable for only a limited purpose (i.e., a product designed for the feeding of puppies) may contain representation that said pet food product or recommended feeding thereof, is or meets the requisites of a complete, perfect, scientific or balanced ration for dogs or cats only:

(1) In conjunction with a statement of the limited purpose for which the product is intended or suitable (as, for example, in the statement "a complete food for puppies"). Such representations and such required qualification therefore shall be juxtaposed on the same panel and in the same size, style and color print; and

(2) Such qualified representations may appear on pet food labels only if:

(a) The pet food contains ingredients in quantities sufficient to satisfy the estimated nutrient requirements established by a recognized authority on animal nutrition, such as the Committee on Animal Nutrition of the National Research Council of the National Academy of Sciences for such limited or qualified purpose; or

(b) The pet food product contains a combination of ingredients which when fed for such limited purpose will satisfy the nutrient requirements for such limited purpose and has had its capabilities in this regard demonstrated by adequate testing.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:08 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 3:017)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-PP 3

NECESSITY AND FUNCTION: To provide for informative use of brand and product names without being misleading.

Section 1. (1) No flavor designation shall be used on a pet food label unless the designated flavor is detectable by a scientific test method, or is one the presence of which provides a characteristic distinguishable by the pet. Any flavor designation on a pet food label must either conform to the name of its source as shown in the ingredient statement or the ingredient statement shall show the source of the flavor. The word "flavor" shall be printed in the same size type and with an equal degree of conspicuousness as the ingredient term(s) from which the flavor designation is derived.

(2) Distributors of pet food employing such flavor designation or claims on the labels of the product distributed by them shall, upon request, supply verification of the designated or claimed flavor to the appropriate control official.

Section 2. The designation "100 percent" or "all" or words of similar connotation shall not be used in the brand or product name of a pet food if it contains more than one (1) ingre-

dient. However, for the purpose of this provision, water sufficient for processing, required decharacterizing agents and trace amounts of preservatives and condiments shall not be considered ingredients.

Section 3. The term "meat" and "meat by-products" shall be qualified to designate the animal from which the meat and meat by-products are derived unless the meat and meat by-products are from cattle, swine, sheep, and goats. For example, "horsemeat" and "horsemeat by-products."

Section 4. The name of the pet food shall not be derived from one (1) or more ingredients of a mixture to the exclusion of other ingredients and shall not be one representing any components of a mixture of a pet food product unless all components or ingredients are included in the name except as specified by 12 KAR 3:017, Sections 1, 5 and 6; provided, that if any ingredient or combination of ingredients is intended to impart a distinctive characteristic to the product which is significant to the purchaser, the name of that ingredient or combination of ingredients may be used as a part of the name of the pet food if:

(1) The ingredient or combination of ingredients is present in sufficient quantity to impart a distinctive characteristic to the product;

(2) It does not constitute a representation that the ingredient or combination of ingredients is present to the exclusion of other ingredients; and

(3) It is not otherwise false or misleading.

Section 5. When an ingredient or a combination of ingredients derived from animals, poultry, or fish constitutes ninety-five (95) percent or more of the total weight of all ingredients of a pet food mixture, the name or names of such ingredient(s) may form a part of the product name of the pet food; provided, that where more than one (1) ingredient is part of such product name, then all such ingredient names shall be in the same size, style, and color print.

Section 6. When an ingredient or a combination of ingredients derived from animals, poultry or fish constitutes at least twenty-five (25) percent but less than ninety-five (95) percent of the total weight of all ingredients of a pet food mixture the name or names of such ingredient or ingredients may form a part of the product name of the pet food only if the product name also includes a primary descriptive term such as "meatballs" or "fishcakes" so that the product names describes the contents of the product in accordance with an established law, custom or usage or so that the product name is not misleading. All such ingredient names and the primary descriptive term shall be in the same size, style and color print.

Section 7. Contractions or coined names referring to ingredients shall not be used in the brand name of a pet food unless it is in compliance with 12 KAR 3:017, Sections 1, 4, 5 or 6.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:08 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 3:022)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-PP 4

NECESSITY AND FUNCTION: To establish a uniform format for the expression of guarantees for pet foods.

Section 1. The sliding scale method of expressing a guaranteed analysis (for example, "protein 15-18 percent") is prohibited.

Section 2. Pursuant to KRS 250.521(1)(c) of the Kentucky Commercial Feed Law of 1972, pet foods containing six and one-half (6 1/2) percent or more of added mineral elements, shall include in the guaranteed analysis the minimum and maximum percentages of calcium (Ca), the minimum percentage of phosphorus (P), and if added, the minimum and maximum percentages of salt (NaCl). All other minerals, when quantitatively guaranteed, shall be expressed as the element in units of measurement established by a recognized authority on animal nutrition such as the National Research Council.

Section 3. Pursuant to KRS 250.521(1)(c) of the Kentucky Commercial Feed Law of 1972, the label of pet food which is formulated as and represented to be a vitamin supplement, shall include a guarantee of the minimum content of each vitamin declared in the ingredient statement. Such guarantees shall be stated in units of measurements established by a recognized authority on animal nutrition such as the National Research Council.

Section 4. The vitamin potency of pet food products distributed in containers smaller than one (1) pound may be guaranteed in approved units per ounce.

Section 5. If the label of a pet food does not represent the pet food to be either a vitamin or a mineral supplement, but does include a table of comparison of a typical analysis of the vitamin, mineral or nutrient content of the pet food with levels recommended by a recognized animal nutrition authority, such comparison may be stated in the units of measurement used by the recognized authority on animal nutrition such as the National Research Council. The statement in a table of comparison of the vitamin, mineral, or nutrient content shall constitute a guarantee, but need not be repeated in the guaranteed analysis. Such table of comparison may appear on the label separate and apart from the guaranteed analysis.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:09 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 3:027)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-PF 5

NECESSITY AND FUNCTION: To establish uniformity in the listing of ingredients on the label of pet foods.

Section 1. The maximum moisture in all pet foods shall be guaranteed and shall not exceed 78.00 percent or the natural moisture content of the constituent ingredients of the product, whichever is greater. Pet foods such as those consisting principally of stew, gravy, sauce, broth or juice which are so labeled, may contain moisture in excess of 78.00 percent.

Section 2. Each ingredient of the pet food shall be listed in the ingredient statement, and names of all ingredients in the ingredient statement must be shown in letter or type of the same size. The ingredients of a pet food shall be listed in descending order by their predominance by weight. Any ingredient for which the Association of American Feed Control Officials has established a name and definition shall be identified by the name so established. Any ingredient for which no name and definition has been so established shall be identified by the common or usual name of the ingredient. Brand or trade names shall not be used in the ingredient statement.

Section 3. The term "dehydrated" may precede the name of any ingredient in the ingredient list that has been artificially dried.

Section 4. No reference to quality or grade of an ingredient shall appear in the ingredient statement of a pet food.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:09 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 3:032)

RELATES TO: KRS 250.491 and 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-PF 6

NECESSITY AND FUNCTION: To ensure that special purpose pet food products have adequate labeling to provide for safe use.

Section 1. The label of a pet food product which is suitable only for intermittent or supplemental feeding or for some other limited purpose should:

- (1) Bear a clear and conspicuous disclosure to that effect; or
- (2) Contain specific feeding directions which clearly state that the product should be used only in conjunction with other foods.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:09 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

KENTUCKY AGRICULTURAL EXPERIMENT STATION
(12 KAR 3:037)

RELATES TO: KRS 250.491 to 250.631

PURSUANT TO: KRS 250.571

SUPERSEDES: AES-2 (1973)-PF 7

NECESSITY AND FUNCTION: To ensure that drugs and additives employed in pet foods are safe and effective for their intended purpose.

Section 1. An artificial color may be used in a pet food only if it has been shown to be harmless to pets. The permanent or provisional listing of an artificial color in the United States Food and Drug regulations as safe for use, together with the conditions, limitations, and tolerances, if any, incorporated therein, shall be deemed to be satisfactory evidence that the color is, when used pursuant to such regulations, harmless to pets.

Section 2. Prior to approval of a registration application and/or approval of a label for pet food, which contains additives, (including drugs, other special purpose additives, or non-nutritive additives) the distributor may be required to submit evidence to prove the safety and efficacy of the pet food, when used according to directions furnished on the label. Satisfactory evidence of the safety and efficacy of a pet food may be:

(1) When the pet food contains such additives, the use of which conforms to the requirements of the applicable regulation in the Code of Federal Regulations, Title 21, or which are "prior sanctioned" or "generally recognized as safe" for such use according to Food and Drug Administration; or

(2) When the pet food itself is a drug as defined in KRS 250.501(7) and is generally recognized by the Food and Drug Administration as safe and effective for label use or is marketed subject to an application approved by the Food and Drug Administration under Title 21, U.S.C. 355 or 357.

Section 3. The medicated labeling format recommended by the Association of American Feed Control Officials shall be used to insure that adequate labeling is provided.

CHARLES E. BARNHART, Director

ADOPTED: March 12, 1975

RECEIVED BY LRC: March 17, 1975 at 11:10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Kentucky Agricultural Experiment Station, Agricultural Science Building, North, University of Kentucky, Lexington, Kentucky 40506.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 5:010)

RELATES TO: KRS 132.040

PURSUANT TO: KRS 13.082

SUPERSEDES: BK-1

NECESSITY AND FUNCTION: This regulation is necessary to preclude an evasion of property tax on bank deposits.

Section 1. The Department of Revenue may require each bank, trust company, combined bank and trust company and national bank to report the following information with their bank deposits tax return in order to claim exemption from the tax on cashiers', certified and officers' checks:

- (1) All cashiers', certified or officers' checks in excess of \$10,000 with the name of the purchaser and payee.
- (2) All cashiers', certified and officers' checks in excess of \$1,000 made payable to the purchaser or a known member of his family with the purchaser's and payee's name.

MAURICE P. CARPENTER, Commissioner

ADOPTED: March 27, 1975

APPROVED: WILLIAM E. SCENT, Secretary

RECEIVED BY LRC: March 31, 1975 at 8:45 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 5:020)

RELATES TO: KRS 134.370

PURSUANT TO: KRS 13.082

SUPERSEDES: GP-6-2

NECESSITY AND FUNCTION: This regulation is necessary to standardize the appointment, functions, reporting procedures, commission for collecting, and responsibilities of a delinquent personalty property tax bill collector appointed by a fiscal court.

Section 1. All contracts between fiscal courts and delinquent tax collectors entered into under KRS 134.370 must be in

substantial conformity with the following language:

***Delinquent Tax Collector's Contract**

Fiscal Court

Term, 19

, 19

This contract made this _____ day of _____, 19____ by and between, the fiscal court of _____ County, party of the first part, and _____ party of the second part witnesseth:

The said first party hereby employs the said second party as delinquent tax collector for _____ County subject to the conditions that a satisfactory bond be executed by said second party for the faithful performance of his duties and that the Commissioner of Revenue of the Commonwealth of Kentucky approve the bond and this contract as required by law.

After said second party has qualified according to this contract for the position of delinquent tax collector, he will be authorized and it shall be his duty to use reasonable diligence to collect by all legitimate means except by filing suits, personal tax claims that are transferred to him on the attached form (Delinquent Tax Collector's Receipt for Delinquent Property Tax Bills), which form shall become an integral part of this contract as if fully embodied herein. He shall collect all penalties and interest required by law. If he fails to do so, he shall pay such penalties and interest from his commission.

The said second party shall make a report of and distribute on or before the tenth (10th) of each month all money collected during the preceding month for the Commonwealth to the Department of Revenue, Frankfort, all money collected for the county to the county treasurer, and all money collected for the school districts to the treasurer of said districts. Said report to be prepared on a form furnished by the Department of Revenue. This report is to be submitted even though there were no delinquent taxes collected during the month. A copy of this form shall be filed monthly with the clerk of the county court and an annual settlement for the year ending June 30 shall be filed with the fiscal court and the Department of Revenue not later than July 30.

The Department of Revenue shall annually perform such audits as it deems necessary of records of the party of the second part and on the completion and approval of said audit shall give clearance to him.

In consideration for his services, the party of the second part shall be entitled to a sum equal to _____ percent of all taxes, penalties, and interest collected under this contract and said commission may be deducted from the amount distributed each month; provided, however, his monthly reports must show the amount collected in ad valorem taxes, penalties, interest, and the amount retained as commission.

It is mutually agreed between the parties that this contract applies only to the collection of personal property tax bills that have been returned to the said first party as uncollectible by the sheriff and does not apply to delinquent land tax claims.

This contract shall become effective upon the date it is approved by the Commissioner of Revenue and shall continue in full force and effect until July 1, 19____.

First Party, Fiscal Court of

County

By

County Judge

Approved this _____ day of

Second Party

_____, 19____.

Commissioner of Revenue

(Submit in duplicate with a bond.)

Section 2. The delinquent tax collector must furnish a corporate surety bond satisfactory to the Department of Revenue. The bond must be not less than ten (10) percent of the total amount of tax claims delivered to him for collection; provided, however, that this bond shall not be less than \$1,000. The bond, properly executed, must accompany the contract. The delinquent tax collector shall collect all penalties and interest provided by law. If he fails to do so, he shall pay such penalties and interest from his commission. The delinquent tax collector shall make a monthly report to each taxing district of all money collected by him. If the report and the distribution of the amount received in any month are not made by the tenth (10th) day of the following month, a penalty of ten (10) percent will apply.

Section 3. Delinquent tax claims are not to be delivered to the tax collector until the contract has been approved by the

Commissioner of Revenue and all the conditions of the contract have been met. It is the declared policy of the commissioner not to approve contracts authorizing payments of a commission of more than thirty-three and one third (33 1/3) percent of the amount collected.

Section 4. The contract for collection of delinquent tax claims shall apply only to delinquent personal tax claims and not to delinquent land tax claims. No contract shall be entered into to cover a period of more than one (1) year, July 1 to June 30.

Section 5. The delinquent tax collector shall sign each year a separate receipt (Delinquent Tax Collector's Receipt for Delinquent Property Tax Bills), Revenue Form 62A385-S2, for each year's tax bills in his possession. Charges for all years other than the current year shall be determined for the second year and each additional year by subtracting bills collected or exonerated from the original charges.

MAURICE P. CARPENTER, Commissioner

ADOPTED: March 27, 1975

APPROVED: WILLIAM E. SCENT, Secretary

RECEIVED BY LRC: March 31, 1975 at 8:46 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 5:050)

RELATES TO: KRS 132.400, 132.285

PURSUANT TO: KRS 13.082

SUPERSEDES: GP-13

NECESSITY AND FUNCTION: This regulation outlines the procedure for submission of performance bonds by property valuation administrators and provides that he be bonded for all monies received by him from cities using the county assessment.

Section 1. Property Valuation Administrator's Performance Bond. The property valuation administrator's bond required by the provisions of KRS 132.400, in amounts specified by that section, conditioned upon the faithful performance of the duties of his office, with a surety to be approved by the Department of Revenue, must be executed by a corporation authorized to do surety business in Kentucky and by a resident agent of such surety corporation who has power of attorney to commit said corporation for the face amount of the bond.

Section 2. Property Valuation Administrator's Penal Bond. (1) Each property valuation administrator, in a county in which a city or cities has adopted the county assessment under the provisions of KRS 132.285, shall be required to execute a corporate surety bond each year, in an amount to cover any liability to account, as provided by law, for all funds appropriated by said cities to his office. The term of the bond shall be July 1 through June 30 for each applicable year.

(2) Immediately upon certification of the county assessment, the Department of Revenue shall notify the property valuation administrator of the amount of his bond. In no case shall the amount of the bond be less than \$1,000. The department shall furnish the bond forms.

(3) The premium for such bond shall be an expense of the property valuation administrator's office and shall be paid out of the amount paid into the office by the city or cities using the county assessment.

MAURICE P. CARPENTER, Commissioner

ADOPTED: April 2, 1975

APPROVED: WILLIAM E. SCENT, Secretary

RECEIVED BY LRC: April 2, 1975 at 2:16 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 5:070)

RELATES TO: KRS 132.510, 132.060, 132.070, 132.080, 132.090

PURSUANT TO: KRS 13.082

SUPERSEDES: GP-15

NECESSITY AND FUNCTION: This regulation is necessary to assure proper reporting by stock brokerage firms doing business in Kentucky on margin and cash accounts of Kentucky residents in a fiduciary capacity.

Section 1. Every broker-dealer or his agent doing business in this state pursuant to KRS Chapter 292, particularly KRS 292.330, shall on or before March 1 each year, as of the preceding January 1, furnish the Department of Revenue the following information:

(1) Name and address of all individuals whose stocks, bonds or other securities are held in a name other than that of the

actual owner and which are in the possession of or subject to the control of such broker-dealer or his agent, for the benefit of such actual owner. This shall be construed to include both margin accounts and cash accounts of Kentucky residents.

(2) Name of company by whom stocks, bonds or other securities were issued.

(3) Number of shares and type of each stock, interest rate, maturity date, par value and number of bonds held, and sufficient information to measure the quantity of other securities.

(4) Market value as of January 1.

Section 2. The information required by this regulation shall consist of the customer's account statement, for both margin and cash accounts, as of the close of business December 31 each year for each Kentucky customer. Margin and cash account statement forms must be kept separated by type of account and marked "margin accounts" and "cash accounts."

MAURICE P. CARPENTER, Commissioner
ADOPTED: March 27, 1975
APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: March 31, 1975 at 8:46 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 5:080)

RELATES TO: KRS 136.290, 136.300, 131.130

PURSUANT TO: KRS 13.082

SUPERSEDES: LD-1

NECESSITY AND FUNCTION: This regulation distinguishes among the type of reports required to be filed under KRS 136.290 by three (3) similar but different types of institutions; Savings and Loan Associations, Production Credit Associations, and Banks for Cooperatives.

Section 1. Savings and Loan Associations: (1) Each savings and loan association when filing the report required by KRS 136.290 shall report:

- (a) Undivided profits;
- (b) Surplus;
- (c) General reserves;
- (d) Savings accounts; and
- (e) Paid up stock.

(2) Applicable deductions, as specified by the Department of Revenue, may be shown on the report form furnished by and submitted to the department. A printed copy of statement of condition as of January 1 shall accompany each savings and loan tax return filed.

Section 2. Production Credit Associations: (1) Each reporting production credit association when filing the report required by KRS 136.290 shall report:

- (a) Surplus;
- (b) Undivided profits (if any);
- (c) General reserves (if any);
- (d) Class A stock;
- (e) Class B stock; and
- (f) Equity reserves.

(2) Applicable deductions, as specified by the Department of Revenue, may be shown on the report form furnished by and submitted to the department. A printed copy of statement of condition as of January 1 shall accompany each production credit association tax return filed.

Section 3. Banks for Cooperatives: (1) Each bank of cooperatives when filing the report required by KRS 136.290 shall report:

- (a) Surplus;
- (b) Undistributed earnings;
- (c) Class B stock (investment stock); and
- (d) Class C stock (borrower stock).

(2) Applicable deductions, as specified by the Department of Revenue, may be shown on the report form furnished by and submitted to the department. A printed copy of statement of condition as of January 1 shall accompany each bank for cooperatives tax return filed.

MAURICE P. CARPENTER, Commissioner
ADOPTED: March 27, 1975.

APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: March 31, 1975 at 8:47 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 5:090)

RELATES TO: KRS 132.060, 132.070, 132.080, 132.090

PURSUANT TO: KRS 13.082

SUPERSEDES: RA-1

NECESSITY AND FUNCTION: This regulation gives the Department of Revenue more adequate control over a stock

brokerage firm doing business in Kentucky by prescribing rules for reporting and paying applicable tax to the state for margin customers.

Section 1. Every report filed by a brokerage firm under the provisions of KRS 132.060 shall include the name and address of each customer for whom securities are held or carried by such broker as of assessment date. Following the name of each customer shall appear a list of bonds, number of shares of stock or other securities held or carried in such customer's account, with an accurate description and the market value of all such securities.

MAURICE P. CARPENTER, Commissioner
ADOPTED: March 27, 1975
APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: March 31, 1975 at 8:47 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 5:110)

RELATES TO: KRS 136.270, 136.280

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: This regulation gives the Department of Revenue more adequate control over and summarizes the criteria by which bank shares are to be valued for assessment.

Section 1. The fair cash value as of January 1, 1975, and annually thereafter of the shares of stock of state banks and trust companies, incorporated under the laws of this Commonwealth and of national banks doing business herein shall be determined from the amount of capital stock paid in, the amount of surplus and undivided profits, earnings, and sales in the following manner:

(1) The net worth (capital, surplus, undivided profits and proper reserves) of the bank or trust company as of December 31 of each year shall be determined. In arriving at the net worth of a bank or trust company, an adjustment will be made if the appraised value of real estate differs from the book value. There shall be deducted from the appraised value of the real estate the book value of such real estate, the difference being used to adjust the total of capital, surplus, undivided profits and proper reserves. The result thus obtained shall represent the net worth of the bank. In the formula computation a twenty (20) percent reduction is allowed on the net worth total for losses in case of liquidation.

(2) The net income (after federal income taxes and before dividends) of the bank or trust company for the past five (5) years, or so many years (not to exceed five (5)) as are available, preceding the assessment date shall be averaged. The dividends paid for the past five (5) years, or so many years (not to exceed five (5)) as are available, preceding the assessment date shall be averaged. The five (5) year average dividend shall be capitalized at five (5) percent. The average dividend shall be deducted from the average net income and the result shall be capitalized at twenty (20) percent. The two (2) capitalized figures shall be added and the total is known as the earnings factor.

(3) The sales value of the shares in a bank or trust company shall be determined by first, arriving at the weighted average of the shares sold during the current year, and second, multiplying this figure by the number of shares outstanding. The result is the total sales value of the outstanding shares of stock in the bank or trust company. In the event that a bank or trust company did not have any sales in the current or two (2) preceding years, the sales value of the shares of stock shall be determined as follows: a percentage factor is determined in banks having sales by dividing the total sales value by the total capital accounts or net worth of the bank. These factors are grouped according to the size of the bank (total net worth or capital accounts) and analyzed to determine the percentage factor to be used on those banks reporting no sales.

(4) The results of the computation in subsections (1) and (2) shall be added and divided by two (2). This result shall be added to the computation in subsection (3) and this figure divided by two (2). The result of this computation shall represent the fair cash value of such shares.

Section 2. In any particular case where application of the above formula will result in inequitable or erroneous assessment, either with respect to the bank or the Commonwealth, the fair cash value of the shares shall be determined in accordance with other recognized criteria.

MAURICE P. CARPENTER, Commissioner
ADOPTED: March 27, 1975
APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: March 31, 1975 at 8:48 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 5:120)

RELATES TO: KRS 134.160
PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: Kentucky law provides that the Department of Revenue shall direct each county sheriff to keep his books and records in a manner and form so that all collections and disbursements from whatever source may be easily audited. This regulation specifies certain records and procedure necessary to carry out this statutory requirement.

Section 1. Sheriff's Cash Book: (1) Regular ad valorem tax bill collections:

- (a) All sheriffs shall maintain a cash book in which all tax collections shall be posted on a daily basis except those sheriffs using a computer service to document tax collections, as set out in paragraph (b) below, by year for which tax bill was prepared; year, month and day of collection; taxing district or tax levying authority; amounts for each classification of property collected payable to each taxing district or authority; two (2) percent discount if applicable; two (2) percent penalty if applicable; six (6) percent penalty if applicable; and total amount collected from each regular property tax bill.
- (b) Those sheriffs using a computer service shall obtain from that service a detail listing, by taxpayer or tax bill number, of all bills paid during that month. This detailed listing will support the total tax collections as furnished by the computer service to the sheriff for the monthly property tax collections report to the Department of Revenue.
- (2) Omitted property tax bills and judgment collections. A separate section of sheriff's cash book sheets shall be maintained for collections of omitted property tax bill collections with distinct entry columns as in subsection (1) with the following exceptions:
 - (a) There shall be a column for ten (10) percent penalty;
 - (b) There shall be a column for twenty (20) percent penalty;
 - (c) There shall be a column for interest.
- (3) Miscellaneous tax collections. Separate sheets shall be maintained for entering daily collections of:
 - (a) Public service;
 - (b) Distilled spirits;
 - (c) Bank shares.
- (4) The sheets inserted in sheriff's cash book shall bear the printing "Sheriff's Cash Book" Month of _____ 19____ Page No. _____ across the top of the opposing pages.
- (5) Each sheriff shall maintain an acceptable ledger in which must be recorded an accurate record of all disbursements made by him indicating:
 - (a) Date payment made;
 - (b) To whom paid;
 - (c) Amount of payment;
 - (d) For what payment was made;
 - (e) From which account payment was made.
- (6) Cash book receipts and ledgers of disbursements shall be balanced within two (2) days after the close of each month.

MAURICE P. CARPENTER, Commissioner

ADOPTED: March 27, 1975
APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: March 31, 1975 at 8:49 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 7:010)

RELATES TO: KRS 131.130, 132.420, 140.250
PURSUANT TO: KRS 13.082
SUPERSEDES: GP-10

NECESSITY AND FUNCTION: This regulation is necessary to authorize the property valuation administrators to be present when safe deposit boxes or similar receptacles are opened and to grant releases or inheritance tax liability under the provisions of KRS 140.250.

Section 1. Property valuation administrators, personally or through an approved deputy, are hereby authorized and directed to be present and inventory the contents when safe deposit boxes or similar receptacles are opened under the provisions of KRS 140.250.

Section 2. Property valuation administrators are authorized and directed to grant a release of inheritance tax liability subject to the department's instructions and procedures.

MAURICE P. CARPENTER, Commissioner

ADOPTED: March 27, 1975
APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: March 31, 1975 at 8:46 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 7:030)

RELATES TO: KRS 132.285, 132.530
PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: This regulation sets guidelines for the physical preparation of the proper assessment rolls in order that they may be better utilized by cities which adopt the county assessment.

Section 1. When any city officially adopts the county assessment for city tax levy purposes, as provided by KRS 132.285, the property valuation administrator shall organize his records and prepare his assessment roll in such manner as to show the city as a separate taxing district.

Section 2. When the county contains an independent school district larger than the city, that property outside the city boundaries but within the independent school district shall be entered on the tax rolls by a supplemental listing.

MAURICE P. CARPENTER, Commissioner

ADOPTED: March 27, 1975
APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: March 31, 1975 at 8:48 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 7:040)

RELATES TO: KRS 132.215
PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: This regulation specifies that the right to receive income from annuities, from whatever source, constitutes an intangible property right.

Section 1. Annuities, both life and term, resulting from the terms of a life insurance policy and all other annuities from whatever source shall be assessable to Kentucky residents and a tax levied at the rate of one-tenth of one cent (.001) upon each \$100 of the fair cash value of his right on the assessment date. This tax shall be for state purposes only.

MAURICE P. CARPENTER, Commissioner

ADOPTED: March 27, 1975
APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: March 31, 1975 at 8:49 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 7:050)

RELATES TO: KRS 132.020, 132.043, 132.190, 132.200, 132.215, 132.220, 134.060
PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: This regulation outlines the taxability of property rights arising from the intangible property held in trust.

Section 1. Irrevocable Trust, the Corpus of Which is Held in Kentucky by Kentucky Banks, Other Institutions, or Individuals as Trustees: (1) If the life tenant (present recipient of the income) is a resident of Kentucky, it is the duty of the trustee to list the full market value of the corpus as of January 1. The corpus is subject to twenty-five (25) cents per \$100 valuation, state rate only. This is true regardless of whether the remainderman (eventual beneficiary of the corpus) is or is not a resident of Kentucky; or is or is not a tax-exempt organization. The right to receive the income from the corpus is not taxable separately.

(2) If the life tenant (present recipient of the income) is not a resident of Kentucky, the corpus of the trust is not taxable and the right to receive income is not taxable.

Section 2. Irrevocable Trust, the Corpus of Which is Held Outside of Kentucky by Nonresident Banks, Other Institutions, or Individuals as Trustees: If the life tenant (present recipient of the income) is a resident of Kentucky, his right to receive income is taxable at one-tenth of one cent (.001) per \$100 valuation, state rate only (KRS 132.215). It is the duty of the present recipient of the income to list for taxation his right to receive the income (KRS 134.060). The corpus of the trust is not taxable in Kentucky (KRS 132.215) as Kentucky has no constitutional jurisdiction except as to the value owned by the recipient of the income.

Section 3. Revocable Trust, the Corpus of Which is Held in or out of Kentucky by Banks, Other Institutions, or Individuals as Trustees: As a general rule, if the settlor (the person who created the trust) is a Kentucky resident, the full market value of the corpus is to be taxed as twenty-five (25) cents per \$100 valuation, state rate only. Whether the corpus of the trust is held within or outside of Kentucky is immaterial. However, in special cases it may be necessary to examine the trust agreement and possibly seek legal advice. The settlor shall be responsible for payment of the tax.

MAURICE P. CARPENTER, Commissioner
ADOPTED: March 27, 1975
APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: March 31, 1975 at 8:47 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 8:010)

RELATES TO: KRS 136.181, 136.182
PURSUANT TO: KRS 13.082
SUPERSEDES: BL-1-1

NECESSITY AND FUNCTION: This regulation requires information concerning mileage operated by nonresident watercraft for allocating mileage operated in Kentucky to total mileage.

Section 1. Any nonresident owner or operator of watercraft, whose route or system is partly within this state and partly within another state or states, shall report to the Department of Revenue by March 1 of each year mileage operated in Kentucky and mileage operated out-of-state of each boat, tug, barge, and other watercraft for the immediate preceding calendar year. For purposes of reporting mileage operated, total mileage on the Ohio River and one-half (1/2) the mileage on the Mississippi River shall be considered as mileage within the state.

MAURICE P. CARPENTER, Commissioner
ADOPTED: April 2, 1975
APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: April 2, 1975 at 2:15 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 8:020)

RELATES TO: KRS 136.130
PURSUANT TO: KRS 13.082
SUPERSEDES: PS-1

NECESSITY AND FUNCTION: This regulation grants public service companies operating in Kentucky an automatic extension of thirty (30) days for filing ad valorem tax returns without written permission. The extension is necessary because most companies cannot meet the March 31 deadline because regulatory reports are not available at this time.

Section 1. All applications for extension of time for filing of public service company property tax returns with the Department of Revenue as required by KRS 136.130, shall be made upon written application to the department.

Section 2. Public service companies required to file reports under KRS 136.130 are hereby granted permission to file such reports by April 30 instead of March 31 without written permission from the department, if the previous year's reports were timely filed.

Section 3. The department may grant an additional thirty (30) days extension when in its opinion the information required is deemed necessary to estimate public service company property tax assessments for county and school budgets as required by KRS 130.410.

Section 4. When an extension of time is requested, a report is to be filed with the department of any increases or decreases in property of \$50,000 or more in any taxing jurisdiction.

Section 5. No extension will be granted beyond May 31.

MAURICE P. CARPENTER, Commissioner
ADOPTED: March 27, 1975
APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: March 31, 1975 at 8:43 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 8:030)

RELATES TO: KRS 136.180
PURSUANT TO: KRS 13.082
SUPERSEDES: PS-2

NECESSITY AND FUNCTION: This regulation instructs the county court clerks to prepare tax bills for public service companies in taxing districts where they are responsible and to recertify the assessment to districts within their county where they are not responsible for tax bills. Also, it states that the clerks may charge a fee for this service.

Section 1. Upon receipt by the county court clerk of the certification of the amount of operating or nonoperating property of a public service company liable for county, city, school, or other district taxes, he shall immediately prepare a tax bill for county, school, and other district taxes collected by the sheriff on forms prescribed by the Department of Revenue and deliver it to the sheriff for collection. The clerk shall take a receipt showing the number of bills and the total amount of tax due each taxing district as shown upon the bills.

Section 2. For city or other district taxes for which the sheriff is not the tax collector, the clerk shall immediately recertify the amount liable for taxes in these districts to the proper officials.

Section 3. For his services, the county court may allow the clerk the same fee as is applicable for calculation of taxes and preparation of tax bills on assessments made by the property valuation administrator.

MAURICE P. CARPENTER, Commissioner
ADOPTED: March 27, 1975
APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: March 31, 1975 at 8:43 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 8:040)

RELATES TO: KRS 393.110, 393.090
PURSUANT TO: KRS 13.082
SUPERSEDES: SC-4

NECESSITY AND FUNCTION: This regulation sets out the time when abandoned property may be claimed by the rightful owner prior to escheating to the department. It also requires the reporter to furnish the department a list setting out specific items that have been returned to the rightful owner.

Section 1. If the rightful owner of escheated property claims his property between July 1 and the date the reporter compiles his report of abandoned property, as required by KRS 393.110, the reporter shall not report such property because the presumption of abandonment as of July 1 no longer exists.

Section 2. If the rightful owner or legal claimant of property reported as presumed abandoned established his claim between September 1 and the date when all property in the hands of the reporter is turned over to the Department of Revenue, the reporter shall certify by sworn statement to the department the specific items which have been returned to the rightful owner or legal claimant and therefore are not subject to escheat.

Section 3. KRS 393.090 covers dry trusts, bailments, escrow agreements, pledges, creditor-debtor relationships, or any other relationship by which property is held by one person for the benefit of another and where the property is not claimed within ten (10) years after the true owner was entitled to a return thereof. This section, however, does not apply to active trusts.

MAURICE P. CARPENTER, Commissioner
ADOPTED: March 27, 1975
APPROVED: WILLIAM E. SCENT, Secretary
RECEIVED BY LRC: March 31, 1975 at 8:44 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 8:050)

RELATES TO: KRS 393.280, 131.130, 12.140, 12.080
PURSUANT TO: KRS 13.082
SUPERSEDES: SC-6

NECESSITY AND FUNCTION: This regulation relates to the inspection of custodial escheated property held by the department. It sets out that time records may be inspected

by individuals or their authorized agent who has interest in the property. Also, reasonable proof must be presented before inspection of the records will be allowed.

Section 1. Any person having a legitimate interest in any property or moneys held in custodial escheat by the Commonwealth of Kentucky under the provisions of KRS 393.010 to 393.990, may inspect such records at any time during regular business hours of the Department of Revenue upon application to the department in person or through an agent properly authorized in writing.

Section 2. Reasonable proof of any probable right, title or interest in any escheated property or money held by the Commonwealth of Kentucky must be presented to the Department of Revenue before inspection of the records will be allowed.

MAURICE P. CARPENTER, Commissioner

ADOPTED: March 27, 1975

APPROVED: WILLIAM E. SCENT, Secretary

RECEIVED BY LRC: March 31, 1975 at 8:44 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 8:060)

RELATES TO: KRS 393.095

PURSUANT TO: KRS 13.082

SUPERSEDES: SC-7

NECESSITY AND FUNCTION: This regulation relates to race tracks operating in Kentucky who have unclaimed pari-mutuel tickets and states how these tickets may be redeemed once the money has been turned over to the department.

Section 1. Any person, corporation or association operating a race track or conducting racing meets in Kentucky at which pari-mutuel or other type of betting is permitted shall maintain a separate record of each race-meeting showing the number of unclaimed winning tickets which have not been presented for collection and the sum of money being held by such person, corporation, or association to satisfy the demands of the holder of outstanding tickets. These records shall be open for inspection by duly authorized representatives of the Department of Revenue.

Section 2. Each operator of a race track or other person conducting racing meets in Kentucky at which pari-mutuel betting is permitted shall, within a reasonable time following the date of this regulation and not later than September 1 of each succeeding year, report to the Department of Revenue upon forms prescribed by the department the amount of money being held to satisfy the demands of holders of unclaimed winning tickets issued two (2) years or more previous to July 1 of the year in which the report is made. Payment of such money shall be made to the Department of Revenue in the manner prescribed by KRS 393.110.

Section 3. After payment of such funds to the Department of Revenue, persons holding outstanding winning tickets or evidence of claims which have been issued at least two (2) years previously may claim the sum due them by: (i) presenting such tickets or evidence of claims to the operators of the race tracks at which the tickets were issued; or (ii) presenting the tickets or evidence of claims to the Department of Revenue at Frankfort, Kentucky. The operators of such tracks shall in either case certify to the Department of Revenue the validity of any unclaimed ticket or claims thus presented, together with a sworn statement that the ticket or claim has not been paid. The Department of Revenue shall thereupon make payment to the holder of the ticket or claim in accordance with the provisions of KRS 393.140.

Section 4. Where a claimant, between the date of reporting and the date of remittance, presents a valid unclaimed winning ticket to the person, corporation, or association operating a race track, the operators of the race track shall pay the claim to the claimant directly. Whereupon, the operator of the track shall require an affidavit of the claimant stating that he has claimed and received payments or the proceeds of the claim. This affidavit shall be a part of the permanent records of the person, corporation, or association operating the race track which shall, at the time the proceeds of unclaimed tickets are turned over to the Department of Revenue, execute an affidavit covering all payments previously made by the race track operator on unclaimed tickets. This affidavit shall relieve the person, corporation, or association operating the race track from liability to the Department of Revenue for the amount so paid claimants.

Section 5. Nothing herein contained shall be construed to exempt from compliance with this regulation any person, corporation, or association conducting racing meets in which any or all of the proceeds derived therefrom are expended for education or charitable purposes.

MAURICE P. CARPENTER, Commissioner

ADOPTED: March 27, 1975

APPROVED: WILLIAM E. SCENT, Secretary

RECEIVED BY LRC: March 31, 1975 at 8:44 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 8:070)

RELATES TO: KRS 393.110, 393.140

PURSUANT TO: KRS 13.082

SUPERSEDES: SC-8

NECESSITY AND FUNCTION: This regulation requires the sheriff to post notice on all abandoned property but does not require him to advertise, or the Department of Revenue to mail a notice to the last known address of owners of, abandoned property of a fair cash value of less than twenty-five dollars (\$25).

Section 1. Posting and Advertising of Abandoned Property Lists. (1) The sheriff shall post a copy of the complete report of abandoned property owners furnished to him by the Department of Revenue in accordance with the provisions of KRS 393.110 but shall publish a list of only those owners of abandoned property of a fair cash value of twenty-five dollars (\$25) or more.

(2) The Department of Revenue shall mail a notice only to those persons on the abandoned property list having an address listed therein where the fair cash value of the property is twenty-five dollars (\$25) or more.

MAURICE P. CARPENTER, Commissioner

ADOPTED: April 2, 1975

APPROVED: WILLIAM E. SCENT, Secretary

RECEIVED BY LRC: April 2, 1975 at 2:15 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET
Department of Revenue
(103 KAR 8:090)

RELATES TO: KRS 136.130

PURSUANT TO: KRS 13.082

SUPERSEDES: FN-2

NECESSITY AND FUNCTION: This regulation classifies certain property as real estate, personalty and manufacturing machinery. The property involved has been the subject of some confusion in the past. This information is helpful to public service companies in classifying new property.

Section 1. The Department of Revenue prescribes the following classification of property to be used by public service corporations in reporting under KRS 136.120 et seq. This list is not intended to be complete and comprehends only those items of property whose proper classification has been subject to some confusion in the past.

CLASS OF PROPERTY

CLASSIFICATION BY
DEPARTMENT OF REVENUE

1. Leaseholds	Real Estate
2. Oil Wells	Real Estate
3. Gas Wells	Real Estate
4. Gathering Lines	Personalty
5. Pipe Lines (Transmission)	Real Estate
6. Electric Transmission Lines	Personalty
7. Electric Distribution Lines	Personalty
8. Telephone Lines	Personalty
9. Underground Cables	Personalty
10. Electric substations (reducing voltage of higher than 4000)	Manufacturing Machinery
11. Electric (Pole) Transformers	Personalty
12. Machinery & Equipment Used in Manufacture of Gas	Manufacturing Machinery
13. Conduits	Real Estate
14. Wire contained in underground Conduits	Personalty

MAURICE P. CARPENTER, Commissioner

ADOPTED: March 27, 1975

APPROVED: WILLIAM E. SCENT, Secretary

RECEIVED BY LRC: March 31, 1975 at 8:45 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:005)

RELATES TO: KRS 324.230, 325.240
PURSUANT TO: KRS 325.240
SUPERSEDES: SBA-1-A
NECESSITY AND FUNCTION: To promulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. Pursuant to authority vested in this board by the Public Accounting Act of 1946, as amended and codified into Chapter 325 of the Kentucky Revised Statutes (hereinafter referred to as "the Act"), the following amended and substituted regulations are promulgated by the State Board of Accountancy of Kentucky. Any and all regulations previously adopted by this board are hereby repealed.

BERNARD W. GRATZER, Executive Secretary
ADOPTED: March 7, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 15, 1975 at 3:28 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:010)

RELATES TO: KRS 325.230, 325.240
PURSUANT TO: KRS 325.240
SUPERSEDES: SBA-1-B
NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. This board shall be known as the State Board of Accountancy of Kentucky. The board is charged with the duty of administering the Act under which it was established, and is authorized to adopt, and amend from time to time, regulations for the orderly conduct of its affairs and for the administration of the Act.

BERNARD W. GRATZER, Executive Secretary
ADOPTED: March 7, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 15, 1975 at 3:29 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:015)

RELATES TO: KRS 325.230, 325.240
PURSUANT TO: KRS 325.240
SUPERSEDES: SBA-1-C
NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. The board shall meet in Louisville, or elsewhere in Kentucky as it may elect, at least once each year, and shall remain in session as long as necessary in order to transact its business and to conduct written examinations of persons applying for a certificate as a Certified Public Accountant. Meetings shall be held upon call by the president of the board or by joint call of any three (3) of its members, and may be held at any time or place designated in the notice of the meeting.

BERNARD W. GRATZER, Executive Secretary
ADOPTED: March 7, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 15, 1975 at 3:29 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:020)

RELATES TO: KRS 325.230, 325.240
PURSUANT TO: KRS 325.240
SUPERSEDES: SBA-1-E
NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. As soon as practicable after designation of new appointees each year, the board shall elect a president, a

secretary and a treasurer from among its members. The office of secretary and treasurer may be held by the same individual. All officers shall be elected for a term of one (1) year and each shall continue in office until his successor has been elected and qualified or until his appointment as a member of the board shall expire.

BERNARD W. GRATZER, Executive Secretary
ADOPTED: March 7, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 15, 1975 at 3:31 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:025)

RELATES TO: KRS 325.230, 325.240
PURSUANT TO: KRS 325.240
SUPERSEDES: SBA-1-D
NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. Three (3) members of the board shall constitute a quorum for the transaction of business, except that when hearings are held as prescribed in KRS 325.360 every member of the board, as well as the Attorney General of this state or one (1) of his assistants designated by him, shall be present.

BERNARD W. GRATZER, Executive Secretary
ADOPTED: March 7, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 15, 1975 at 3:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:030)

RELATES TO: KRS 325.230, 325.240
PURSUANT TO: KRS 325.240
SUPERSEDES: SBA-1-F
NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. The secretary of the board shall keep the seal of the board, keep records of its proceedings and perform such other duties as may be prescribed by the board. The secretary, with the approval of the board, may arrange for assistance in the performance of its duties under a contract or contracts with an executive secretary, covering the maintenance of an office for the board and such other routine services as may be lawfully arranged for by the board to facilitate its administration of the Act.

BERNARD W. GRATZER, Executive Secretary
ADOPTED: March 7, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 15, 1975 at 3:31 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:035)

RELATES TO: KRS 325.265
PURSUANT TO: KRS 325.240
SUPERSEDES: SBA-2-B
NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. The completed application, including all information requested therein, must be filed with the office of the State Board of Accountancy, Louisville, Kentucky, at least two (2) months prior to the first day of the month in which the examination is to be held. Thus, applications to sit for the May examination shall be filed with the board on or before the first day of March preceding; and applications to sit for the November examination shall be filed with the board on or before the first day of September preceding. Except that in the case of candidates filing for re-examination because of forfeiture or expiration of application, such applications shall be filed with the board within thirty (30) days after the results of the next preceding examination have been published. In submitting the application to the board, the applicant shall:

(1) Submit the application on the form prescribed by the board, signed and acknowledged before a notary public;

(2) Cause to be filed with the board three (3) letters from persons to whom the applicant is well known. Each letter must state an opinion as to the moral character of the applicant. All letters should be mailed by the writers to the State Board of Accountancy, Louisville;

(3) Include in application the name and address of each person from whom letters are to be received in accordance with subsection (2) above. No applicant shall submit for reference the name of any person to whom he is related by either blood or marriage;

(4) Enclose with application two (2) photographs taken within two (2) years preceding application, the back of which must bear the signature in ink of the applicant;

(5) Include with the application evidence of educational qualifications and experience qualifications when required;

(6) The fee for the examination shall be fifty dollars (\$50) in the case of a new applicant. On re-examination the fee is twelve dollars and fifty cents (\$12.50) for each subject in which the candidate is examined. Payment shall be made at the time requested by the board in the form of a check made payable to "State Treasurer."

Section 2. The act of filing an application for examination shall be deemed to be and shall constitute an agreement upon the part of the applicant that he will observe and conform to the requirements expressed in these rules, or such as may be promulgated hereafter.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: March 7, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 3:32 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:040)

RELATES TO: KRS 325.270

PURSUANT TO: KRS 325.240

SUPERSEDES: SBA-2-C

NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. During the months of May and November the board will conduct an examination for qualified applicants whose applications have been approved by the board. The applicants accepted as candidates for examination will be notified in writing to the address stated in their application of the exact place of the examination, and the dates and hours at which each subject will be given. Unless otherwise determined these examinations will be held in the City of Louisville, Kentucky.

Section 2. All examinations shall be written in pencil or in ink on paper provided by the board. The examination papers may not be taken away and shall remain the property of the board. All examination papers shall be preserved for a period of one year after each examination.

Section 3. Candidates for examination shall be given a card bearing a number and the card shall be placed in a sealed envelope and handed to the examiners at the first examination. The number is for identification only and shall be used on all papers submitted by the candidate. If any candidate shall sign his name or write his initials or other identification marks upon his examination papers, such action shall be considered as misconduct and shall be sufficient cause for rejecting his papers.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: March 7, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 3:33 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions

BOARD OF ACCOUNTANCY
(201 KAR 1:045)

RELATES TO: KRS 325.265, 325.270

PURSUANT TO: KRS 325.240, 325.270

SUPERSEDES: SBA-2-D

NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. Examinations will include questions or problems on the following subjects:

- (1) Accounting Practice;
- (2) Theory of Accounts;

- (3) Auditing;
- (4) Commercial Law.

Section 2. The candidate will be required to make a grade of not less than seventy-five (75) percent in each subject before he will be declared to have passed the examination.

Section 3. A candidate who has earned no conditional credit, who fails to receive a conditional credit or credits in any examination shall have the right to re-examination. Should such candidate fail to pass the examination or to obtain a conditional credit as hereinafter provided, after taking three (3) consecutive examinations, he shall be considered to have failed the examination. Such candidate may, however, thereafter make a new application, which shall be reviewed by the board as in the case of any new applicant.

Section 4. A candidate who fails to pass all subjects, but who receives a passing grade in one (1) or more subjects shall receive a conditional credit for such subject or subjects, provided such candidate averages fifty (50) percent or more on the parts failed. A candidate who receives such conditional credit or credits must pass the remaining subjects at any three (3) of the four (4) examinations next succeeding the examination at which the first conditional credit was earned. In the event of his failure thus to pass the examination within the above prescribed period, he will be considered to have failed the examination. Such a candidate may, however, thereafter make a new application, which shall be reviewed by the board as in the case of any new applicant.

Section 5. Every candidate must sit for every examination for which he is eligible unless excused for a cause acceptable to the board, and at such examination he must, in good faith, submit a paper on each subject for which he is eligible to be examined. Failure to sit, if not excused, will void the application and failure of the candidate to so submit any such paper may, in the discretion of the board, result in the disqualification of all papers submitted by such candidate in said examination.

Section 6. Any person licensed to practice law in this state need not be examined in the subject of Commercial Law. An applicant claiming waiver of the examination in Commercial Law by virtue of this section must include with his application a certification from the Kentucky State Bar Association to the effect that such candidate is duly licensed to practice law in this state and is in good standing as provided in KRS 30.170.

Section 7. A candidate for the certificate of Certified Public Accountant who has written the uniform examination under the jurisdiction of another state and has failed to receive a passing grade in all subjects, but has passed one (1) or more subjects, as determined by the Advisory Grading Service, may in the discretion of the board be given conditional credit for parts passed, provided that the applicant met all requirements of the Kentucky law and regulations, except for residence, at the time of writing the examination.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: March 7, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 3:33 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:050)

RELATES TO: KRS 325.261, 325.280

PURSUANT TO: KRS 325.240

SUPERSEDES: SBA-2-E

NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. Persons who have met the qualifications set forth in KRS 325.261 may make application for a certificate as Certified Public Accountant and a permit to practice public accounting provided such application is filed within five (5) years after successful completion of the examination. In submitting the application to the board, the applicant shall:

(1) Submit the application on the form prescribed by the board together with payment of the fee of twenty-five dollars (\$25);

(2) Cause to be filed with the board three (3) letters from persons to whom the applicant is well known, two (2) of which must be from Certified Public Accountants registered by this board or officers or directors of a bank located in the Commonwealth of Kentucky. Each letter must state an opinion as to the moral character of the applicant and his fitness to practice as a Certified Public Accountant. All letters shall be mailed by the writers to the State Board of Accountancy, Louisville;

(3) Include in application the name and address of each person from whom letters are to be received in accordance with subsection (2) above. No applicant shall submit for reference

the name of any person to whom he is related by either blood or marriage;

(4) Submit satisfactory evidence that the experience requirements have been met in accordance with 201 KAR 1:060, unless such is already in possession of the board;

(5) Enclose with application one (1) photograph taken within two (2) years preceding application, the back of which must bear the signature in ink of the applicant;

(6) Include with the application evidence of educational qualifications unless such is already in possession of the board;

(7) Submit with the application satisfactory answers to questions on the Kentucky Accountancy Law, regulations and official code of ethics, such questions being furnished by the board.

Section 2. The act of filing an application for a certificate and permit to practice constitutes an agreement that the applicant will take the oath of the Kentucky Certified Public Accountant.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: March 7, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 3:33 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:055)

RELATES TO: KRS 325.261, 325.280

PURSUANT TO: KRS 325.240

SUPERSEDES: SBA-2-F

NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. The board may, in its discretion, waive the examination of, and issue a certificate as "Certified Public Accountant" to any person who submits on the form or in the manner prescribed by the board, satisfactory evidence that:

(1) He holds a certificate as Certified Public Accountant issued under the laws of another state as the result of a written examination comparable to those given by this board; or is the holder of a certificate, license or degree in a foreign country constituting a recognized qualification for the practice of public accounting in such country, comparable to that of a Certified Public Accountant of this state, which is then in force; and

(2) That he is either a resident of Kentucky, or has a place of business therein or is employed therein; and

(3) That he possesses all other qualifications required for eligibility for the certificate as Certified Public Accountant as set forth in KRS 325.261; and

(4) Who takes the oath of the Kentucky Certified Public Accountant.

Section 2. In the event the applicant has not met the requirements of subsection (2) above at the time of application, the board may in its discretion, for a fee of twenty-five dollars (\$25), issue a temporary practice permit for a period not to exceed six (6) months, which will qualify such applicant for the requirements of KRS 325.261. Failure by the applicant to meet the requirement of KRS 325.261(1) within the period of the temporary permit shall automatically void any registration.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: March 7, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 3:34 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:060)

RELATES TO: KRS 325.261, 325.265, 325.270, 325.280

PURSUANT TO: KRS 325.240

SUPERSEDES: SBA-2-A.

NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. The board shall issue a certificate as Certified Public Accountant to any person who meets the qualifications set forth in KRS 325.261.

Section 2. The educational requirement of KRS 325.261(3)(a), (b), and (c), referring to a baccalaureate degree and/or masters degree "conferred by a college or university recognized by the board," is defined as a degree at an institution whose credits would be accorded full recognition

on transfer to the University of Kentucky or University of Louisville. Evidence that the applicant possesses the educational qualifications prescribed herein shall consist of an official transcript or transcripts issued by the institution(s) granting the degrees claimed. Such transcripts shall be submitted with an application for examination or certificate by waiver of examination and remain a part thereof.

Section 3. A major or concentration program in accounting is defined as a minimum of twenty (20) semester hours in accounting subjects. A total of thirty (30) semester hours in accounting, business law, economics and finance are required.

Section 4. In order to fulfill the experience requirements of KRS 325.261(3)(a), (b), (c) and (d), the applicant shall show to the satisfaction of the board that his experience has included participation in the examination of financial statements for third party reliance embracing the following:

(1) Experience in applying a variety of auditing procedures and techniques to the usual and customary financial transactions recorded in accounting records.

(2) Experience in the preparation of audit working papers covering the examination of the accounts usually found in accounting records.

(3) Experience in the planning of the program of audit work including the selection of the procedures to be followed.

(4) Experience in the preparation of written explanations and comments on the findings of the examination and on the content of the accounting records.

(5) Experience in the preparation and analysis of financial statements together with explanations and notes thereon.

Section 5. An applicant who relies in whole or in part on the experience requirement of KRS 325.261(3)(f) or (g) must submit verification of said experience in affidavit form signed by the chief of the audit section in the case of employment in the Internal Revenue Service, or the Commissioner of Revenue in the case of employment in the Kentucky Department of Revenue. Such affidavit must set forth full and specific details of qualifications.

Section 6. The experience requirements of KRS 325.261(3)(a), (c) and (d) may be partially fulfilled by employment on a part-time or internship basis. In the case of part-time work experience, one-half (1/2) hour credit will be given for each hour worked, such credit being limited to twenty (20) hours per week. On applications received after November 1, 1967, not more than one (1) year of experience credit will be granted for such part-time work. In the case of qualifying experience gained as the result of work performed through a fulltime internship program, full hour credit will be granted for hours worked. Not more than one (1) year of the experience requirement may be fulfilled by work performed through an internship program. For the purpose of this regulation, a year shall be defined as a minimum of 1,750 hours.

Section 7. A maximum of one (1) year of the experience requirement may be obtained through part-time work or through internship programs or a combination of both. Experience so gained must be submitted over the signature of the employer, showing the hours worked each week.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: March 7, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 3:32 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:065)

RELATES TO: KRS 325.330

PURSUANT TO: KRS 325.240

SUPERSEDES: SBA-3-A

NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. Each Certified Public Accountant who engages in practice in Kentucky must secure a permit from the State Board of Accountancy by paying an initial fee of twenty dollars (\$20). Each such Certified Public Accountant, each public accountant and each partnership registered with this board shall pay to the State Board of Accountancy an annual renewal fee of twenty dollars (\$20) on or before July 1 of each year, for his or its permit to practice public accountancy in Kentucky during the twelve (12) month period beginning on that date.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: March 7, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 3:34 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:070)

RELATES TO: KRS 325.340(10), 325.370

PURSUANT TO: KRS 325.240

SUPERSEDES: SBA-3-D

NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. Failure of a certificate holder or registrant to pay the annual permit fee for three (3) successive years may cause the board to revoke said certificate or registration. A certificate holder or registrant who is in good standing with the board and who is paying an annual license fee to the official accountancy board or commission of another state, territory or District of Columbia and who is a resident of or in active practice in such other jurisdiction may request the board to suspend his certificate or registration during the period of inactivity in this state. Upon receipt of such request and surrender of the Kentucky certificate, the board shall forthwith enter an order of suspension for an indefinite period, but in such cases the certificate shall, upon application, be restored and the certificate holder or registrant be reinstated without payment of delinquent permit fees, provided the applicant for reinstatement submits evidence that for each year of such suspension he has paid an annual license fee to the official accountancy board of such other jurisdiction and that he is in good standing with said board or commission.

Section 2. An order terminating the period of suspension and reinstating the certificate holder or registrant shall be entered immediately by the board upon the application of each person who has elected to proceed under the voluntary suspension provisions set forth above and who produces proof that he meets the terms thereof. In all other cases of revocation or suspension of a certificate or registration because of failure to pay the annual permit fee, an application for reinstatement will be disposed of as the board may see fit in the exercise of its discretion.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: March 7, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 3:36 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:075)

RELATES TO: KRS 325.300, 325.320, 325.330

PURSUANT TO: KRS 325.240

SUPERSEDES: SBA-3-B

NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. Under the provisions of KRS 325.300 and 325.320, bona fide partnerships practicing accountancy in Kentucky are permitted and required to register annually with the State Board of Accountancy. Information and application blanks will be furnished upon request. One (1) partner shall execute affidavit of general partner on page two (2) of application for registration of partnership. All other partners must sign on the line opposite their listed name on the form. In case of admission to a partnership, a supplementary affidavit properly executed by the new partner shall accompany the notice of admission submitted to the board. Notice of admission of a partner to, or his withdrawal from, a partnership must be given to the board within one (1) month where no change of partnership name is involved. If admission or withdrawal of a partner is accompanied by a change in the partnership name, initial registration of the new partnership as such is required.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: March 7, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 3:35 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:080)

RELATES TO: KRS 325.380

PURSUANT TO: KRS 325.240

SUPERSEDES: SBA-3-C

NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. KRS 325.380(7) provides that no individual shall sign or affix a partnership name with any wording indicating that it is a partnership, unless the partnership holds a permit issued under KRS 325.330 which has not been revoked or suspended. In the event of the death of a member of a firm which is composed of but two (2) partners, upon proper application to the board, the board may in its discretion authorize the continuation of the use of the partnership name by the surviving partner for a reasonable period of time, for the orderly winding up of the affairs of the partnership. In such case, a reasonable period of time shall be deemed to be a period of not in excess of two (2) years.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: March 7, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 3:35 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:085)

RELATES TO: KRS 325.380

PURSUANT TO: KRS 325.240

SUPERSEDES: SBA-6-A

NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. (1) The use of the titles "accountant" or "auditing" or the use of the terms "accounting," "auditing" or any other title or designation likely to be confused with "Certified Public Accountant" or "Public Accountant," either singly or in conjunction with other titles, by any person is prohibited by KRS 325.380 unless such person holds a valid permit for the practice of public accounting.

(2) The use of the title "certified tax consultant," either alone or in conjunction with the title of "public accountant," constitutes the use of a title or designation likely to be confused with "Certified Public Accountant" and as such is prohibited by KRS 325.380.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: March 7, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 3:37 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:090)

RELATES TO: KRS 325.390

PURSUANT TO: KRS 325.240

SUPERSEDES: SBA-5-A

NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. A Certified Public Accountant or registered Public Accountant holding a certificate, degree or license issued by the accountancy board or commission of another state may temporarily practice in this state on professional business incident to his regular practice; provided, however, that he shall in such practice be governed by regulations and rules of professional conduct promulgated by the State Board of Accountancy of Kentucky. Evidence of a violation of any such regulation or rule of professional conduct shall first be submitted to the accountancy board or commission of the state from which the Certified Public Accountant or registered public accountant holds his certificate, degree or license, and proceedings shall be instituted by this board only in the event that such board or commission fails or is unable to take appropriate action.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: March 7, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 3:37 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Division of Occupations and Professions
Board of Accountancy
(201 KAR 1:095)

RELATES TO: KRS 325.340
PURSUANT TO: KRS 325.240
SUPERSEDES: SBA-4-A
NECESSITY AND FUNCTION: To repromulgate administrative regulations of the State Board of Accountancy of Kentucky.

Section 1. An official code of ethics containing rules of professional conduct governing the activities of all persons holding a permit to practice issued by this board shall be promulgated, and copies shall be furnished to any interested person upon request. The "Official Code of Ethics" containing rules of professional conduct governing the activities of all persons holding a permit to practice issued by this board are incorporated herein by reference, and may be obtained from the State Board of Accountancy, 310 W. Liberty Street, Louisville, Kentucky 40202. No change in the official code of ethics (rules of professional conduct) shall be adopted until every permit holder shall have been notified in writing at his address last known to the board of the proposed change. Such notice shall be mailed at least sixty (60) days before the proposed effective date of such change and if at least ten (10) permit holders so request in writing an open hearing shall be held on the proposed changes.

BERNARD W. GRATZER, Executive Secretary
ADOPTED: March 7, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 15, 1975 at 3:36 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 West Liberty Street, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Kentucky Board of Embalmers and Funeral Directors
(201 KAR 15:010)

RELATES TO: KRS 316.010, 316.040, 316.090
PURSUANT TO: KRS 316.210(4)
SUPERSEDES: BEFD-7
NECESSITY AND FUNCTION: Defines terms used throughout KRS Chapter 316 and the regulations governing the Kentucky Board of Embalmers and Funeral Directors.

Section 1. Definitions: (1) "All his working hours," as used in KRS 316.040 and 316.090, is defined as regular employment in a licensed funeral establishment in this state. Said regular employment must involve at least forty (40) working hours per week which may be cumulated in any manner under actual working conditions and under the personal supervision of a licensed embalmer and licensed funeral director holding a valid Kentucky license. Said employment shall be regular and steady employment and shall not be secondary to another employment.

(2) "Branch establishments" is defined to mean any place apart from their main establishment which is used for conducting any part of a funeral service, and such branch establishment must operate under the constant supervision of a licensed funeral director and licensed embalmer who devotes his regular working hours to this branch establishment.

FRED W. ERSHELL, JR., Chairman
ADOPTED: February 5, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 2, 1975 at 2:21 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Fred W. Erschell, Jr., 835 York, Newport, Kentucky 41071.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Kentucky Board of Embalmers and Funeral Directors
(201 KAR 15:020)

RELATES TO: KRS 316.210
PURSUANT TO: KRS 316.210(4)
SUPERSEDES: BEFD-Rule 1
NECESSITY AND FUNCTION: Sets out the procedure whereby the rules and regulations governing the Kentucky State Board of Embalmers and Funeral Directors may be added to, changed, altered, revised or amended by the State Board of Embalmers and Funeral Directors.

Section 1. Amendments to Rules and Regulations: These rules and regulations may be added to, changed, altered, revised or amended at any time by a majority of the members of the State Board of Embalmers and Funeral Directors voting in regular meeting.

FRED W. ERSHELL, JR., Chairman
ADOPTED: February 5, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 2, 1975 at 2:22 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Fred W. Erschell, Jr., 835 York, Newport, Kentucky 41071.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Kentucky Board of Embalmers and Funeral Directors
(201 KAR 15:030)

RELATES TO: KRS 316.050
PURSUANT TO: KRS 316.210(4)
SUPERSEDES: BEFD-Rule 17
NECESSITY AND FUNCTION: Sets forth the procedure for making application to take the Funeral Director's or Embalmer's examination.

Section 1. Application for Examination: An applicant for funeral director's or embalmer's examination shall file his application, under oath, with the board for examination on a form prescribed by the board at a time not later than thirty (30) days prior to the date set by the board for such examination. Such application shall include sworn statements by the licensed funeral director and licensed embalmer under whom the required apprenticeship was served as sworn proof that same was actually served as required by law governing funeral directors and embalmers in Kentucky. The application shall be accompanied with a fee of twenty-five dollars (\$25) for each examination. This fee shall include license in good standing for the remainder of the fiscal year if the applicant is successful in his examination.

FRED W. ERSHELL, JR., Chairman
ADOPTED: February 5, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 2, 1975 at 2:22 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Fred W. Erschell, Jr., 835 York, Newport, Kentucky 41071.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Kentucky Board of Embalmers and Funeral Directors
(201 KAR 15:040)

RELATES TO: KRS 316.050, 316.070
PURSUANT TO: KRS 316.210(4)
SUPERSEDES: BEFD-Rule 18
NECESSITY AND FUNCTION: Sets forth the procedure, content and time of the State Funeral Director's and Embalmer's examination.

Section 1. Examination: (1) Content of examination: The examinations for license to practice embalming and funeral directing shall be held under the control of members of the State Board of Embalmers and Funeral Directors and shall consist of a written examination. The subjects to be covered in the examination for embalmer's license are as follows: Embalming, Anatomy, Bacteriology, Pathology, Chemistry, Restorative Art and Mortuary Administration. The subjects to be covered in the examination for funeral director's license are as follows: Mortuary Administration, Ethics, Accounting, Microbiology, Business Law, Primary Psychology, Transportation Rules, Hygiene and Sanitation, Disinfection and Fumigation. The state board may accept the results of the National Board Examination for Embalmers which is given under the direct supervision of a member of the Board of Directors of the Conference of Funeral Service Examining Boards of the United States, Inc., in lieu of the written portion of the regular examination as usually provided by the board. The applicant must file a regular application, along with the required fee, with the board and shall present himself before the board for further examination as shall be required. The state board at its discretion may refuse to accept the results of any national board examination and may require these persons who apply for license under this provision to write the regular state board examination.

(2) Procedure of examination: The examination for license to engage in the business and practice of funeral directing and the practice of embalming shall be held under the control of members of the State Board of Embalmers and Funeral Directors and shall consist of a written examination. While taking the examination no applicant shall leave the examination room unless a member of the board accompanies him.

- (a) The members of the board shall grade each applicant's paper within a reasonable period of time. The applicant must attain a proficiency of seventy-five (75) percent on the entire examination.
 - (b) All written questions submitted for examination of applicants for licenses are the property of the board and the applicants must return same to the board with their answers.
 - (c) When the applicant has complied with all the above requirements to the satisfaction of a majority of the board he shall be issued a license to practice embalming or to practice funeral directing, according to the examination taken by the applicant.
 - (d) All licenses shall be signed by the president, secretary and at least one (1) other member of the board and shall have the seal of the board affixed.
- (3) Time of examinations:
- (a) Examinations will be held for funeral director's and embalmer's licenses annually at the regular meeting of the board, on the second Monday and Tuesday in December of each year. Examinations may be conducted, however, at other meetings that may be held by the board.
 - (b) Notices of the date of funeral director's and embalmer's examination must be mailed by the secre-

tary of the board to all funeral firms in this state thirty (30) days prior to the date of examinations advising them of the place and date when the examinations will be held.

- (c) A complete list of all applicants for funeral director and embalmer license taking the examination must be mailed to each funeral firm in the state by the secretary of the board fifteen (15) days before each examination. Upon receipt of this list, if any person receiving the list has a reason for complaint they will file the complaint with the secretary of the board before the date of examination.
- (d) An applicant is entitled to only one (1) examination for the fee of twenty-five dollars (\$25).

FRED W. ERSHELL, JR., Chairman
ADOPTED: February 5, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 2, 1975 at 2:21 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Fred W. Erschell, Jr., 835 York, Newport, Kentucky 41071.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Kentucky Board of Embalmers and Funeral Directors
(201 KAR 15:050)

RELATES TO: KRS 316.040, 316.090
PURSUANT TO: KRS 316.210(4)
SUPERSEDES: BEFD-Rule 16
NECESSITY AND FUNCTION: Sets forth apprenticeship requirements in order to be eligible to take the examination for licensure as either an embalmer or funeral director.

Section 1. Apprenticeship Requirements: (1) On or before May 15 and November 15 of each year every registered apprentice shall file with the Secretary of the State Board of Embalmers and Funeral Directors a statement of the training he has received during the six (6) months period ending with the preceding first of May or first of November respectively, indicating the licensed funeral director and licensed embalmer under whom he worked by their sworn signature. Failure to file such statements within the prescribed time will cause the forfeiture of the apprenticeship served during the reportable period. Failure to have all report forms due, during the entire training period in the hands of the Secretary of the Board at the time of making application for examination will automatically disqualify the applicant of examination.

(2) The apprenticeship report forms shall be furnished to the trainee by the board and shall include the following detailed information:

- The name of at least one (1) professional magazine read regularly each month.
- The name of at least one (1) textbook studied in the six (6) months period.
- An attached review of said textbook or other related study material.
- Report for funeral director: State the number of funeral services in which the trainee has assisted.
- Report for embalmer: State the number of cases in which the trainee has assisted with the care and preparation.
- The name of the service items in which the trainee has assisted.

(3) The report forms furnished by the board to the trainee shall be accompanied by an explanation of the training program in order that both the trainee and the sponsoring funeral director and embalmer shall fully understand its objectives. The report forms shall be scrutinized by the board which shall then determine whether or not the training is adequate and in conformity with such standards as will indicate that the trainee is actually receiving proper training.

FRED W. ERSHELL, JR., Chairman
ADOPTED: February 5, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 2, 1975 at 2:22 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Fred W. Erschell, Jr., 835 York, Newport, Kentucky 41071.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Kentucky Board of Embalmers and Funeral Directors
(201 KAR 15:060)

RELATES TO: KRS 316.130
PURSUANT TO: KRS 316.130
SUPERSEDES: BEFD-Rule 19

NECESSITY AND FUNCTION: Sets forth the requirement, pursuant to KRS 316.130, that a funeral director's license and embalmer's license must be renewed annually.

Section 1. Annual Renewal of Licenses: All licenses issued by the board expire on the 31st day of July, next, following their issuance and must be renewed annually. Application for renewal of license must be made to the secretary of the board thirty (30) days preceding the expiration of the license, upon printed forms prescribed by the board and must be accompanied by a license fee of ten dollars (\$10) as prescribed by law. The applicant will be entitled to have his name appear in the

official list published and issued by the board.

FRED W. ERSHELL, JR., Chairman
ADOPTED: February 5, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 2, 1975 at 2:21 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Fred W. Erschell, Jr., 835 York, Newport, Kentucky 41071.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Kentucky Board of Embalmers and Funeral Directors
(201 KAR 15:070)

RELATES TO: KRS 316.130
PURSUANT TO: KRS 316.130
SUPERSEDES: BEFD-Rule 20
NECESSITY AND FUNCTION: Sets forth the procedure whereby a licensed funeral director or licensed embalmer who fails to renew his or her license as required by KRS 316.130 and the rules and regulations of the State Board of Embalmers and Funeral Directors may reinstate his license.

Section 1. Reinstatement: When a licensed funeral director or licensed embalmer fails to renew his or her license as required by law and the rules and regulations of the embalmers and funeral directors, their license may be reinstated only upon payment of a delinquent renewal fee of ten dollars (\$10) for each year or portion of a year of delinquency and an additional sum of ten dollars (\$10) per year filing fee for the renewal of each license sought to be renewed. Upon payment of the required delinquent renewal fee and the filing fee the license may be renewed by the issuing of a renewal license bearing the same number as the original license provided a period of not more than three (3) years shall have elapsed since failure to renew. If three (3) years have elapsed the license may not be renewed.

FRED W. ERSHELL, JR., Chairman
ADOPTED: February 5, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 2, 1975 at 2:22 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Fred W. Erschell, Jr., 835 York, Newport, Kentucky 41071.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Kentucky Board of Embalmers and Funeral Directors
(201 KAR 15:080)

RELATES TO: KRS 316.150
PURSUANT TO: KRS 316.210(4)
SUPERSEDES: BEFD-Rule 1
NECESSITY AND FUNCTION: Sets forth the procedure whereby complaints and/or charges of violations of KRS Chapter 316 and the rules and regulations governing the Kentucky State Board of Embalmers and Funeral Directors shall be made.

Section 1. Violations: Complaints and charges of violations of the law and the rules and regulations of the board governing embalmers and funeral directing, or both, shall, upon request of the board, be made by the complainant upon printed forms prescribed by the board and furnished by the secretary of the board, to the person complaining, which forms shall be filled in by the complainants, signed, sworn to and properly filed with the secretary of the board.

FRED W. ERSHELL, JR., Chairman
ADOPTED: February 5, 1975
APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 2, 1975 at 2:22 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Fred W. Erschell, Jr., 835 York, Newport, Kentucky 41071.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Kentucky Board of Veterinary Examiners
(201 KAR 16:010)

RELATES TO: KRS 321.350(6), (7)
PURSUANT TO: KRS 321.240
SUPERSEDES: VE-2
NECESSITY AND FUNCTION: KRS 321.350(6) provides that the board may suspend or revoke a certificate of license for any gross negligence, incompetence or misconduct in the practice of veterinary medicine in this Commonwealth. KRS 321.350(7) provides for the suspension or revocation of a certificate of license for any violation of the code of conduct promulgated by the board. This regulation sets forth certain acts or inaction which shall constitute gross negligence or misconduct in the practice of veterinary medicine and likewise sets forth a code of conduct for each licensed practitioner.

Section 1. The failure on the part of any veterinarian to take the time necessary to attempt to diagnose the condition of the animal which he is attempting to treat shall constitute gross negligence, incompetence and misconduct.

Section 2. The continued failure of a veterinarian to treat the animal which he has undertaken to treat in a manner that a qualified veterinarian would use under the same or similar circumstance shall constitute gross negligence, incompetence and misconduct.

Section 3. The failure of a veterinarian to maintain adequate equipment to treat animals that he is called upon to treat in the practice of veterinary medicine shall constitute gross negligence, incompetence and misconduct in the practice of veterinary medicine.

Section 4. All veterinary offices and clinics, including instruments and equipment contained therein, shall at all times be kept clean and free from any condition or surroundings that will make or tend to make said instruments and equipment unsanitary or unhygienic.

Section 5. Any veterinarian who misrepresents or misstates information on a health certificate or any other document relating to the sale, movement or transportation of animals, or who pre-signs health certificates or other related documents in order that they may be used by some other person or persons, is guilty of misconduct in the practice of veterinary medicine.

Section 6. No veterinarian shall permit, encourage or aid any person or corporation to engage in the unauthorized and illegal practice of veterinary medicine.

Section 7. A veterinarian shall be guilty of misconduct if he sells or offers for sale medicine and drugs at any place other than his office, clinic or hospital or at the place where he is treating animals and the drugs and medicines will be used in the treatment of said animal. No veterinarian shall be permitted to sell or dispense medicine and drugs by mail, except where the veterinarian is treating animals and the drugs and medicines are forwarded to the owner so that he may follow the veterinarian's advice in seeing that the proper dosages are given to the animal.

Section 8. A veterinarian will be guilty of misconduct if he solicits clients by direct personal solicitation, or by advertising of any nature or description, other than specifically permitted herein.

Section 9. A veterinarian is limited in his advertising to his professional card and announcement of the opening of his office, his listing in the telephone directory and identification of his office or clinic by proper signs. He may permit his name to be listed in directories in the same style, type or size used in the directories for the listing of professional groups such as physicians, dentists and lawyers. His listing in the yellow pages of telephone directories should be only under the heading of veterinarians or some other similar title which has long been used in the area of the listing of veterinarians. Newspaper announcements shall only announce the opening of practice or a change of location of the office, clinic or hospital of the veterinarian. Such announcements shall be reasonable in size and display and shall be limited to names, titles, address, office hours and telephone numbers. The inclusion of "practice limited to small animals" or "practice limited to horses" etc. is acceptable. The announcement may be run for a reasonable time only, but in no case shall said announcement be run for a period of more than thirty (30) days in a daily newspaper or more than four (4) times in a weekly newspaper. The only exception to the above stated number of publications shall be in the case of a beginning practitioner who shall be permitted to have the announcement published until such time as a new telephone directory is printed for the area in which he is practicing. The veterinarian may mail, to his regular clients, letters or cards announcing his movement of his office, clinic or hospital to a new location. Display signs on veterinary hospital, clinics and offices shall be of a reasonable size and in good taste. It shall be misconduct for a veterinarian to advertise or announce special services such as bathing, plucking, clipping and x-ray work. Advertisements of the name of the practitioner or his office, clinic or hospital address on motor vehicles is prohibited.

Section 10. It shall be improper for veterinarians to write testimonials as to the virtue of drugs, medicines, remedies or foods except to report the results of properly controlled experiments or clinical studies to interested veterinary organizations and associations.

Section 11. Every veterinarian engaging in the practice of veterinary medicine, veterinary surgery, and veterinary dentistry in this state shall keep adequate and sufficient records of the examination and treatment of all animals examined and treated so as to afford information relative to these matters to those persons entitled to see such information.

WENDELL P. BUTLER, Chairman

ADOPTED: April 11, 1975

APPROVED:

WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 11, 1975 at 2:40 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: William E. Johnson, Attorney, Kentucky Board of Veterinary Examiners, 326 West Main Street, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Kentucky Board of Veterinary Examiners
(201 KAR 16:020)

RELATES TO: KRS 321.220, 321.260

PURSUANT TO: KRS 321.240

NECESSITY AND FUNCTION: KRS 321.190 requires all persons engaging in the practice of veterinary medicine in the State of Kentucky to be licensed by the Kentucky Board of Veterinary Examiners. KRS 321.260 provides that each applicant shall submit to an examination conducted by the board, with the exception of those persons who may obtain a license by reciprocity pursuant to the provisions of KRS 321.220. This regulation sets out the procedures to be followed in obtaining an application, the fees to be charged and procedures relating to the obtaining of a license as a result of this state reciprocating with another state.

Section 1. (1) The board recognizes the following veterinary colleges as having those standards and requirements adequate to comply with the provisions of KRS 321.260. All of the following veterinary colleges have been recognized and approved by the American Veterinary Medical Association. Those colleges are as follows:

- (a) Alabama Polytechnic Institute, College of Veterinary Medicine, Auburn, Alabama.
- (b) University of California, School of Veterinary Medicine, Davis, California.
- (c) Colorado State College, Division of Veterinary Medicine, Fort Collins, Colorado.
- (d) Cornell University, New York State Veterinary College, Ithaca, New York.
- (e) University of Georgia, School of Veterinary Medicine, Athens, Georgia.
- (f) University of Guelph, Ontario Veterinary College, Guelph Ontario, Canada.
- (g) University of Illinois, School of Veterinary Medicine, Urbana, Illinois.
- (h) Iowa State College, Division of Veterinary Medicine, Ames, Iowa.
- (i) Kansas State College, School of Veterinary Medicine, Manhattan, Kansas.
- (j) Louisiana State University, Baton Rouge, Louisiana.
- (k) Michigan State College, Division of Veterinary Science, East Lansing, Michigan.
- (l) University of Minnesota, School of Veterinary Medicine, St. Paul, Minnesota.
- (m) University of Missouri, School of Veterinary Medicine, Columbia, Missouri.
- (n) Ecole Medicine Veterinaire de la Province de Quebec, Universite de Montreal, La Trappe, Quebec, Canada.
- (o) Ohio State University, College of Veterinary Medicine, Columbus, Ohio.
- (p) University of Oklahoma, School of Veterinary Medicine, Stillwater, Oklahoma.
- (q) University of Pennsylvania, School of Veterinary Medicine, Philadelphia, Pennsylvania.
- (r) Purdue University, School of Veterinary Science and Medicine, Lafayette, Indiana.
- (s) University of Saskatchewan, Western College of Veterinary Medicine, Saskatoon, Saskatchewan, Canada.
- (t) Texas Agricultural and Mechanical College, School of Veterinary Medicine, College Station, Texas.
- (u) Tuskegee Institute, School of Veterinary Medicine, Tuskegee Institute, Alabama.
- (v) State College of Washington, College of Veterinary Medicine, Pullman, Washington.

(2) All other veterinary colleges must have academic standards equivalent to the schools listed above in order to be recognized by this board. Evaluation of the academic standards, of veterinary courses and practices of these schools will be made after an application for a license has been received.

Section 2. An application for examination for a license to practice veterinary medicine shall be submitted on an application form prescribed and provided by the board, accompanied by such evidence, statements, or documents as therein required, and shall be filed with the board at its principal office at least thirty (30) days, or in the case of graduates of veterinary colleges outside of the United States, at least ninety (90) days, before the date fixed for the examination. It will be necessary for an applicant to complete the application and forward it, along with the necessary enclosures, to the board's office, within the time described above, whether he desires a license through examination or as a result of reciprocity proceedings.

Section 3. In addition to the examination fee of twenty-five dollars (\$25), all applicants shall be required to pay the fee charged for examination materials furnished to this board. Applicants will be notified of the examination fee and the examination materials fee at the time the application is forwarded to the applicant. All sums payable to the board shall be paid by certified check, cashier's check or postal money order and be payable to the Kentucky State Treasurer.

Section 4. Examinations shall be held at such times and places as shall be determined by the board. A schedule of the date, time and place of the examination shall be mailed to each applicant whose application is accepted by the board.

Section 5. The board shall not refund either the examination fee or the fee for the examination materials, except

where good and sufficient cause for refunding all or a portion of the fees are shown to the board within a reasonable time prior to the date of the examination.

Section 6. This state board reciprocates with the states of Illinois, Michigan, Missouri and Ohio. In order for applicant to obtain a license in this state, he must do the following:

- (1) Obtain an application from this board;
- (2) Complete the application and return it, along with the enclosures, to the board within the time specified herein;
- (3) Have the reciprocating state board forward a letter or other documents stating that the applicant is licensed in that state by virtue of an examination, that his license is in good standing, and this board shall further be advised of any derogatory information which may be in that board's file concerning the applicant;
- (4) Upon receipt of a satisfactory application and information from the reciprocating state board, the Kentucky Board of Veterinary Examiners will schedule a personal interview for the applicant. This personal interview may be conducted by the board as a whole or by any person delegated to act for the board.

Section 7. All applicants successfully passing the examination or obtaining a license in this state by virtue of reciprocity procedures shall be required to pay to this board the sum of ten dollars (\$10), which sum will be the fee charged for the issuance of the license certificate and the license certificate shall remain in good standing until the next renewal date.

WENDELL P. BUTLER, Chairman

ADOPTED: April 11, 1975

APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 11, 1975 at 2:41 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: William E. Johnson, Attorney, Kentucky Board of Veterinary Examiners, 326 West Main Street, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Kentucky Board of Veterinary Examiners
(201 KAR 16:030)

RELATES TO: KRS 321.260, 321.330
PURSUANT TO: KRS 321.240

NECESSITY AND FUNCTION: KRS 321.260 requires the board to issue a license certificate to all persons successfully passing the examination and being qualified to engage in the practice of veterinary medicine, veterinary dentistry and veterinary surgery in this state. KRS 321.330 provides for the annual renewal of the license. This regulation requires the mailing of an annual renewal notice to all licensed veterinarians and requires all licensed veterinarians to complete the annual renewal notice and return it, along with the annual renewal fee to the board. It further requires all licensed veterinarians to keep the board apprised of the current address of the licensee.

Section 1. The Kentucky Board of Veterinary Examiners shall on or about April of each year mail to each licensed veterinarian an annual renewal notice. This annual renewal notice shall be completed and returned to the board on or before June 30 of each year. The annual renewal fee, in the amount of ten dollars (\$10), shall be attached to the completed renewal notice when it is returned to the board. Said annual renewal fee shall be paid by certified check, cashier's check or postal money order, payable to the Kentucky State Treasurer. All information requested on the annual renewal notice shall be furnished to the board when the completed annual renewal notice is returned to the board.

Section 2. Every person holding a certificate of license shall file his proper and current mailing address with the board at its principal office and shall immediately notify the board of any and all changes of his mailing address.

WENDELL P. BUTLER, Chairman

ADOPTED: April 11, 1975

APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 11, 1975 at 2:41 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: William E. Johnson, Attorney, Kentucky Board of Veterinary Examiners, 326 West Main Street, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Examiners of Speech Pathology and Audiology
(201 KAR 17:020)

RELATES TO: KRS 334A.030, 334A.130
PURSUANT TO: KRS 334A.080

SUPERSEDES: SPA-1

NECESSITY AND FUNCTION: This regulation is necessary to clarify the procedure for submitting an application for licensure.

Section 1. Applications for Speech Pathologist or Audiologist License. (1) No person shall practice or represent himself as a speech pathologist or audiologist in this state unless he is licensed in accordance with the provisions of KRS Chapter 334A, and the provisions of the regulations

adopted thereunder.

(2) An application for a license to practice speech pathology or audiology shall be made to the State Board of Examiners of Speech Pathology and Audiology upon forms provided by the board upon request and shall contain such information as the board may reasonably require.

(3) Each application for a license shall be accompanied by a fee of twenty-five dollars (\$25) which is non-refundable.

(4) The board may request such additional information or clarification of information provided in the application as it deems reasonably necessary.

(5) All applications shall be signed by the applicant and notarized.

(6) All applications shall include a recent photograph of the applicant.

(7) If the board so directs, an applicant shall personally appear before the board or a member thereof for a personal interview concerning his application.

WILLIAM W. GREEN, Ph.D., Chairman

ADOPTED: March 26, 1975

APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 15, 1975 at 9:18 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: William W. Green, Ph.D., Chairman, Board of Examiners of Speech Pathology and Audiology, P. O. Box 456, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Examiners of Speech Pathology and Audiology
(201 KAR 17:020)

RELATES TO: KRS 334A.060
PURSUANT TO: KRS 334A.080
SUPERSEDES: SPA-3

NECESSITY AND FUNCTION: This regulation sets forth the conditions under which a license may be granted without the necessity of the applicant being required to take an examination.

Section 1. An applicant for licensure in speech pathology and/or audiology may apply to the board for waiver of the examination and educational requirements as defined in the provisions of KRS Chapter 334A, and the provisions of the regulations adopted thereunder.

Section 2. Waiver of the examination and educational requirements shall be considered by the board for those applicants who:

(1) Present proof of current licensure in speech pathology and/or audiology in a state which has standards equivalent to those of this state.

(2) Hold the Certificate of Clinical Competence of the American Speech and Hearing Association in the area for which they are applying for licensure.

(3) Present proof of bona fide practice of speech pathology or audiology according to the regulations hereunder.

Section 3. Proof of bona fide practice in speech pathology and/or audiology shall include any or all of the following as requested by the board:

(1) Written evidence from the applicant and/or his/her superiors that said applicant was actively engaged in the practice of speech pathology and/or audiology on June 16, 1972.

(2) Official transcripts from an educational institution approved by the board evidencing a minimum of a bachelor's degree in speech pathology or audiology shall be submitted to the board at the board's request. Such transcripts shall show a maximum concentration of hours of instruction in the area in which licensure is being sought.

(3) A complete and thorough description of the nature of the applicant's practice shall be submitted to the board upon request. Such description shall include any and all information deemed necessary by the board to fully explain the scope and nature of the practice.

(4) The applicant shall submit to the board upon request a minimum of two (2) letters of endorsement pertinent to his/her practice of speech pathology or audiology from licensed speech pathologists and/or audiologists in the area in which licensure is being sought.

(5) The applicant shall appear before the board as requested by the board to present evidence and discuss his/her practice in speech pathology and/or audiology.

(6) The applicant shall permit, upon request of the board, direct observation and evaluation of the applicant's practice on site and shall permit the board to discuss the applicant's performance with any of the applicant's patients, professional supervisors and/or administrative superiors.

Section 4. For those applicants who fail to provide adequate proof of bona fide practice as defined herein, the board may consider waiver of the educational requirements and granting of licensure providing the applicant successfully passes the examination in the area in which licensure is sought.

WILLIAM W. GREEN, Ph.D., Chairman

ADOPTED: March 26, 1975

APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 15, 1975 at 9:18 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: William W. Green, Ph.D., Chairman, Board of Examiners of Speech Pathology and Audiology, P.O. Box 456, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Examiners of Speech Pathology and Audiology
(201 KAR 17:030)

RELATES TO: KRS 334A.160, 334A.170

PURSUANT TO: KRS 334A.080

SUPERSEDES: SPA-2

NECESSITY AND FUNCTION: This regulation is necessitated by KRS 334A.160(2) and sets forth in detail all fees charged by the board.

Section 1. Fee Schedule. The following fees shall be paid in connection with speech pathologist and audiologist applications, examinations, renewals, and penalties:

- (1) Application fee for a speech pathologist license, \$25.
- (2) Application fee for an audiologist license, \$25.
- (3) Combined application fee for a speech pathologist and audiologist license, \$25.
- (4) Examination fee for a speech pathologist license, \$25.
- (5) Examination fee for an audiologist license, \$25.
- (6) Examination fee for a speech pathologist and audiologist license, \$50.
- (7) Initial speech pathologist license fee, \$50.
- (8) Initial audiologist license fee, \$50.
- (9) Combined speech pathologist and audiologist license fee, \$100.
- (10) Renewal fee for speech pathologist license, \$25.
- (11) Renewal fee for audiologist license, \$25.
- (12) Combined renewal fee for pathologist and audiologist license, \$50.
- (13) Renewal fee for grace period extending from January 31 to March 2:
 - (a) For speech pathologist license, \$30.
 - (b) For audiologist license, \$30.
 - (c) Combined fee for speech pathologist and audiologist license, \$60.
- (14) Delinquency renewal after March 2 shall be:
 - (a) For speech pathologist license, \$35.
 - (b) For audiologist license, \$35.
 - (c) Combined fee for speech pathologist and audiologist license, \$70.

Section 2. No person shall practice speech pathology or audiology in this state unless such license has been renewed as provided by law and upon payment of the prescribed fee. All licenses not renewed by March 2 following the date of issuance shall be deemed expired and no person shall engage in such practice.

Section 3. (1) Where an application is filed during the period of December 17 to January 30 and a license issued pursuant thereto, the board waives the renewal of such license for the ensuing licensing year.

- (a) The inactive license fee for a speech pathologist for a licensing year shall be, \$5.
- (b) The inactive license fee for an audiologist for a licensing year shall be, \$5.
- (c) The inactive fee for a speech pathologist and audiologist for a licensing year shall be, \$5.
- (2) The holder of an inactive license shall not actively engage in the practice of speech pathology or audiology. Reactivation of an inactive license to practice speech pathology or audiology may be obtained by notifying the board of such intention and upon payment of the current renewal fee.
- (3) Application for an inactive license shall be made to the board prior to March 2 and be accompanied by the prescribed fee of five dollars (\$5) for such licensing year.

Section 4. A person who fails to renew his license within the five years after its expiration may not renew it, and it may not be restored, reissued or reinstated thereafter, but such persons may apply for and obtain a new license if he meets the requirements of KRS Chapter 334A and the regulations adopted thereunder including successful passage of an examination.

WILLIAM W. GREEN, Ph.D., Chairman

ADOPTED: March 26, 1975

APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 15, 1975 at 9:18 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: William W. Green, Ph.D., Chairman, Board of Examiners of Speech Pathology and Audiology, P. O. Box 456, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Examiners of Speech Pathology and Audiology
(201 KAR 17:040)

RELATES TO: KRS 334A.180

PURSUANT TO: KRS 334A.080

SUPERSEDES: SPA-4

NECESSITY AND FUNCTION: This regulation is necessitated by KRS 334A.180(16) which requires the board to adopt and publish a code of ethics.

Section 1. This code of ethics has been promulgated by the State Board of Examiners of Speech Pathology and Audiology to assure the consumer public of the highest standards of integrity and ethical principles in the professional practice of speech pathology and/or audiology within the Commonwealth of Kentucky. The failure to specify any particular responsibility

for practice in this code of ethics should not be construed as denial of the existence of other responsibilities or practices that are equally important. Any act that is in violation of the spirit and purpose of this code of ethics shall be unethical practice. It is the responsibility of each licensee to advise the state board of examiners of instances of violation of the principles incorporated in this code. The ethical responsibilities of each licensee require that the welfare of the person he serves professionally be considered paramount.

Section 2. The following conduct, in addition to that provided in KRS Chapter 334A, is hereby prohibited in relation to the practice of speech pathology and/or audiology by a licensee in this state:

- (1) He shall not guarantee the results of any speech or hearing consultation or therapeutic procedure;
- (2) He shall not diagnose or treat individual speech or hearing disorders by correspondence (This does not preclude follow-up by providing the persons served professionally with general information of an educational nature.);
- (3) He shall not reveal to unauthorized persons any confidential information obtained from the individual he serves professionally without the individual's permission.
- (4) He shall not exploit persons he serves professionally:
 - (a) By accepting them for treatment where benefit cannot reasonably be expected to accrue;
 - (b) By continuing treatment unnecessarily;
 - (c) By charging exorbitant fees.
- (5) He shall not accept compensation in any form from a manufacturer or a dealer in prosthetic or other devices for recommending any particular product.
- (6) He shall not permit his professional titles or accomplishments to be used in the sale or promotion of any product related to his professional field. He may be employed by a manufacturer or publisher, provided that his duties are consultative, scientific, or educational in nature.
- (7) He shall not discriminate on the basis of race, religion, or sex in his professional relationships with his colleagues, employees, or the consumer public.
- (8) He shall not solicit persons to become patients, or advertise by mail, card, newspaper, pamphlet, radio, television or any other medium, or permit his services to be advertised; provided, however, that such person may describe services and provide fee schedule information to physicians or other recognized referring professionals or agencies. He may publish a brief announcement of the opening of an office or any change of office location or change of office hours, and may cause to be listed in the telephone directory and classified advertising section thereof his name, address, type of practice and office hours. Modest signs on the doors, windows, and walls of the licensee's office or on the building in which he maintains an office setting out his name, professional title, office hours and address shall not be considered as violations of this subsection.

WILLIAM W. GREEN, Ph.D., Chairman

ADOPTED: March 26, 1975

APPROVED: WILLIAM E. SCENT, Commissioner
RECEIVED BY LRC: April 15, 1975 at 9:17 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: William W. Green, Ph.D., Chairman, Board of Examiners of Speech Pathology and Audiology, P. O. Box 456, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Examiners of Speech Pathology and Audiology
(201 KAR 17:050)

RELATES TO: KRS 334A.020

PURSUANT TO: KRS 334A.080

SUPERSEDES: SPA-6

NECESSITY AND FUNCTION: This regulation is necessary to more clearly define the position of audiology aide under provisions of KRS Chapter 334A.

Section 1. The audiology aide shall work under the direct supervision of a licensed Audiologist.

Section 2. The audiology aide and his/her licensed supervisor shall submit written evidence of successful completion of minimal training recognized by the board. Such training shall be offered through an educational institution approved by the board and shall be the equivalent of at least a three (3) semester hour course which prepares the aide to provide basic audiometric testing and hearing screening under supervision.

Section 3. The audiology aide shall not offer diagnostic and therapy services beyond that which is inherent in the training curriculum and shall not offer services to the public in any other manner or setting other than the organization in which they are employed.

Section 4. The audiology aide and his/her supervisor shall submit a written plan of activities to be performed by the aide for the board's approval initially and annually, on or before January 31 of any given year.

Section 5. The audiology aide shall submit to written and/or oral examinations by the board or its representative upon official request by the board.

Section 6. Failure of the audiology aide and his/her supervisor to comply with the regulations herein shall result in revocation of the supervisor's license and other penalties under the provisions of KRS Chapter 334A.

WILLIAM W. GREEN, Ph.D., Chairman

ADOPTED: March 26, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 9:16 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: William W. Green, Ph.D., Chairman, Board of Examiners of Speech Pathology and Audiology, P. O. Box 456, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Examiners of Speech Pathology and Audiology
(201 KAR 17:060)

RELATES TO: KRS 334A.020

PURSUANT TO: KRS 334A.080

SUPERSEDES: SPA-5

NECESSITY AND FUNCTION: This regulation is necessary to more clearly define the position of the Speech Pathology Aide under provisions of KRS Chapter 334A.

Section 1. The speech aide shall work under the direct supervision of a licensed speech pathologist.

Section 2. The speech aide and his/her licensed supervisor shall submit written evidence of successful completion of minimal training recognized by the board. Such training shall be offered through an educational institution approved by the board and shall be the equivalent of at least a three (3) semester hour course which prepares the aide to provide language stimulation and basic articulation therapy under supervision.

Section 3. The speech aide shall not offer diagnostic and therapy services beyond that which is inherent in the training curriculum and shall not offer services to the public in any other manner or setting other than the organization in which they are employed.

Section 4. The speech aide and his/her supervisor shall submit a written plan of activities to be performed by the aide for the board's approval initially and annually, on or before January 31 of any given year.

Section 5. The speech aide shall submit to written and/or oral examinations by the board or its representative upon official request by the board.

Section 6. Failure of the speech aide and his/her supervisor to comply with the regulations herein shall result in revocation of the supervisor's license and other penalties under the provisions of KRS Chapter 334A.

WILLIAM W. GREEN, Ph.D., Chairman

ADOPTED: March 26, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 9:16 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: William W. Green, Ph.D., Chairman, Board of Examiners of Speech Pathology and Audiology, P. O. Box 456, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Registration for Professional Engineers
and Land Surveyors
(201 KAR 18:010)

RELATES TO: KRS 322.040, 322.120

PURSUANT TO: KRS 322.040, 322.120, 322.290, 13.082

SUPERSEDES: PE&LS-I-1

NECESSITY AND FUNCTION: Establishes classes of applicants for professional engineers and land surveyors for convenience in discussing and processing applications for licenses, certification and examination.

Section 1. Classes of Applicants. (1) For convenience in discussing and processing applications for licenses, certification and examinations, there are hereby established the following four (4) classes of applicants.

(2) Professional Engineer. This class includes those applying for engineering licenses on the basis of:

(a) KRS 322.040(1)(a). Licensing under this provision may be obtained by:

1. Proof of graduation and satisfactory work experience (four (4) years) plus sixteen (16) hours examination. Licensing under this provision is recommended inasmuch as this standard meets the requirements of most state boards outside Kentucky for licensing by reciprocity or comity; or

2. Proof of graduation and satisfactory work experience (four (4) years) plus eight (8) hour examination. Applicants for licensing under this subparagraph will not be processed subsequent to June 30, 1976.

(b) KRS 322.040(1)(b). Licensing under this provision may be obtained by proof of a satisfactory work record of no less than eight (8) years and a sixteen

(16) hour examination. Licensing under this provision shall cease effective July 1, 1980.

(c) Reciprocity (comity) with another state board.

(3) Engineer-In-Training. This class includes those applying for certification as engineers-in-training on the basis of:

(a) Graduation or senior in an approved engineering curriculum; or

(b) Engineering experience of at least four (4) years; or

(c) Combined education and engineering experience.

(4) Land Surveyor. This class includes those applying for land surveying license on the basis of:

(a) KRS 322.040(2)(b). Proof of graduation in engineering or land surveying plus work experience of four (4) years and sixteen (16) hour examination; or

(b) KRS 322.040(2)(c). Proof that the applicant holds a valid license issued by another board plus four (4) hour examination.

(5) Land Surveyor-In-Training. This class includes those applying for certification as land surveyors-in-training on the basis of:

(a) Graduation or senior in an approved engineering or land surveying curriculum; or

(b) Land surveying experience of at least four (4) years; or

(c) Combined education and land surveying experience.

(6) The board will decline to receive applications for original licensing in Kentucky from all applicants except those who meet at least one (1) of the following three (3) conditions:

(a) Applicant is a resident of Kentucky, or is regularly employed in Kentucky; or

(b) Is a graduate of an engineering school in Kentucky; or

(c) Is one who seeks licensing on the basis of subsection (2)(a) 1. above.

GEORGE W. VAUGHN, Secretary-Treasurer

ADOPTED: January 21, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED: April 15, 1975 at 9:31 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, University Station, Lexington, Kentucky 40506.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Registration for Professional Engineers
and Land Surveyors
(201 KAR 18:020)

RELATES TO: KRS 322.070, 322.300, 322.420

PURSUANT TO: KRS 322.070, 322.420, 322.290, 13.082

SUPERSEDES: PE&LS-II-1

NECESSITY AND FUNCTION: KRS Chapter 322 makes it mandatory for the board to prescribe and furnish application forms for registration, and this outlines procedures in connection with filing and processing of such forms.

Section 1. Application Forms. (1) Applications by any of the four (4) classes of applicants shall be made on the respective forms issued by the board. Applications made on other than the applicable forms will not be accepted for filing by the board. Applicants may attach additional sheets to the form if necessary for other evidence, but such attached sheets shall conform to the same size as the printed forms and shall be securely attached thereto. The board may require clarification or expansion of any of the information on the application in order to evaluate fully applicants' qualifications.

(2) The board requires a transcript showing subjects and grades of all scholastic work after high school only if such education must be evaluated and credited to meet the minimum requirements for license or certificate. It is the duty of the applicant to see that such a record is sent direct from the institution concerned to the board and final action will not be taken by the board until such information is received.

(3) An applicant whose original application for licensing has not been granted may renew his application, supplying additional information to update it for a period of five (5) years after the date of the original. Thereafter, if licensing has not been obtained, the board may require a new application to be submitted with a showing by the applicant of good cause for further consideration.

GEORGE W. VAUGHN, Secretary-Treasurer

ADOPTED: January 21, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 9:21 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, University Station, Lexington, Kentucky 40506.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Registration for Professional Engineers
and Land Surveyors
(201 KAR 18:030)

RELATES TO: KRS 322.040, 322.120
 PURSUANT TO: KRS 322.040, 322.120, 322.290, 13.082
 SUPERSEDES: PE&LS-III-1

NECESSITY AND FUNCTION: Outlines the requirements under the certification program for in-training engineers and land surveyors under which the board has provided for early testing of basic sciences and fundamentals of engineering and land surveying.

Section 1. In-Training Certificates. To provide an early test of abilities and knowledge of the basic sciences and fundamentals of engineering and land surveying the board has established a plan for certification of engineers-in-training and land surveyors-in-training. Examinations are offered to graduates of an accredited engineering or land surveying curriculum and to non-graduates with at least four (4) years of satisfactory experience. Qualified applicants who pass the examination will be issued a certificate of recognition as engineer-in-training or land surveyor-in-training. The certificate is valid indefinitely with no renewal fees.

ADOPTED: January 21, 1975
 APPROVED: WILLIAM E. SCENT, Commissioner
 RECEIVED BY LRC: April 15, 1975 at 9:32 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, Lexington, Kentucky 40506.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Registration for Professional Engineers
and Land Surveyors
(201 KAR 18:040)

RELATES TO: KRS 322.040, 322.090, 322.100, 322.110, 322.120, 322.140, 322.150, 322.160, 322.420
 PURSUANT TO: KRS 322.090, 322.100, 322.120, 322.140, 322.290, 322.420, 13.082
 SUPERSEDES: PE&LS-IV-1

NECESSITY AND FUNCTION: KRS Chapter 322 gives the board certain authority to fix fees, and this is intended to outline fees covering various steps of application, examination, certification, registration and/or renewal fees.

Section 1. Fees. (1) License fees under KRS 322.040 shall be forty dollars (\$40) and under KRS 322.120 the fee shall be thirty-five dollars (\$35). The fee for in-training certification shall be fifteen dollars (\$15). Application fees should accompany all applications and shall be transmitted by check or money order made payable to "Kentucky State Registration Board."

(2) Applications for licensing under KRS 322.040 shall be accompanied by an initial fee of twenty-five dollars (\$25) and under KRS 322.120 by the total fee of thirty-five (\$35). These fees will be retained by the board as non-refundable application fees, the same to be credited to the applicant when and if a license is granted.

(3) If approved under KRS 322.120 the license certificate will be issued without further fee, and if under KRS 322.040, it will be issued upon receipt by the board of the final payment of fifteen dollars (\$15), representing the balance of the total licensing fee of forty dollars (\$40).

(4) Only one (1) complete application form is required for a license in any one or more branches of engineering or land surveying. However, an updating of the application and an additional application fee of twenty-five dollars (\$25) is required for each additional branch of engineering or section of the law under which the applicant subsequently applies for licensing.

(5) Applications for certification as engineer-in-training and land surveyor-in-training shall be accompanied by a fee of fifteen dollars (\$15). If approved, a certificate will be issued without a further fee.

(6) The fees accompanying applications for licensing and in-training certification shall entitle the applicants to one (1) examination and one (1) re-examination if required. Application for the second re-examination must be accompanied by a fee of forty dollars (\$40) for licensing and fifteen dollars (\$15) for in-training certification.

ADOPTED: January 21, 1975
 APPROVED: WILLIAM E. SCENT, Commissioner
 RECEIVED BY LRC: April 15, 1975 at 9:32 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, University Station, Lexington, Kentucky 40506.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Registration for Professional Engineers
and Land Surveyors
(201 KAR 18:050)

RELATES TO: KRS 322.040, 322.110, 322.120
 PURSUANT TO: KRS 322.040, 322.110, 322.120, 322.290, 13.082
 SUPERSEDES: PE&LS-V-1

NECESSITY AND FUNCTION: Sets forth branches of engineering for which licenses will be issued.

Section 1. Branches of Professional Engineering. The board at the present time recognizes for the purpose of licensing the following branches of engineering: Agricultural, Chemical, Civil, Electrical, Highway, Industrial, Mechanical, Metallurgical, Mining, Petroleum and Structural. An applicant for license as "Professional Engineer," in order to be accepted and licensed, should qualify in one or more of the above classifications. The board reserves the right to increase or decrease the number of branches in which licenses are granted.

ADOPTED: January 21, 1975
 APPROVED: WILLIAM E. SCENT, Commissioner
 RECEIVED BY LRC: April 15, 1975 at 9:32 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, University Station, Lexington, Kentucky 40506.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Registration for Professional Engineers
and Land Surveyors
(201 KAR 18:060)

RELATES TO: KRS 322.050, 322.120, 322.210, 322.300
 PURSUANT TO: KRS 322.290, 13.082
 SUPERSEDES: PE&LS-VI-1

NECESSITY AND FUNCTION: Relates to refusal of registration requests and applicants' right to reconsideration.

Section 1. Rejections. A person whose application has been rejected shall be fully informed as to the reason for the rejection of his application, and he will be given every reasonable opportunity to secure reconsideration of his application.

ADOPTED: January 21, 1975
 APPROVED: WILLIAM E. SCENT, Commissioner
 RECEIVED BY LRC: April 15, 1975 at 9:33 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, University Station, Lexington, Kentucky 40506.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
Board of Registration for Professional Engineers
and Land Surveyors
(201 KAR 18:070)

RELATES TO: KRS 322.040, 322.080, 322.090
 PURSUANT TO: KRS 322.040, 322.290, 13.082
 SUPERSEDES: PE&LS-VII-1

NECESSITY AND FUNCTION: Sets forth requirements and scope of examinations conducted for applicants seeking registration/certification as engineers, land surveyors, engineers-in-training and land surveyors-in-training.

Section 1. Examinations. (1) The board conducts written examinations semi-annually, in the spring and in the fall. The eight (8) hour examination evaluates the candidate's knowledge of the basic science and fundamentals of engineering or land surveying. The sixteen (16) hour examination includes the eight (8) hours in basics, plus a second eight (8) hour examination covering the principles and practices of the specific field in which the applicant seeks to be licensed.

(2) **Class 1. Professional Engineers:**

(a) Applicants for licensing under KRS 322.040 (1) (a) will, through June 30, 1976, be permitted to elect between an eight (8) hour written examination combined with a short personal interview before the board and a sixteen (16) hour written examination without personal interview. After June 30, 1976, all class 1 applicants will be required to take the sixteen (16) hour examination. Persons holding valid in-training certificates will be excused from taking the eight (8) hour examination in basic science and fundamentals.

(b) Applicants for licensing under KRS 322.040 (1) (b) will take the sixteen (16) hour examination unless they hold a valid EIT certificate, excusing them from the eight (8) hour examination in fundamentals.

(3) **Class 2. Engineer-in-training.** Applicants for EIT certification will take the eight (8) hour basic examination in engineering.

(4) Class 3. Land Surveyors:

- (a) Applicants for licensing under KRS 322.040 (2) (a) will be required to take only a four (4) hour examination in the practice of land surveying in Kentucky.
- (b) Applicants for licensing under KRS 322.040 (2) (b) or (c) will be required to take the sixteen (16) hour examination. Holders of valid in-training certification will be excused from the eight (8) hour examination in basic science and fundamentals.

(5) Class 4. Land Surveyors-In-Training. Applicants for LSIT certification will take the eight (8) hour basic examination in land surveying.

ADOPTED: January 21, 1975
 APPROVED: WILLIAM E. SCENT, Commissioner
 RECEIVED BY LRC: April 15, 1975 at 9:33 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, University Station, Lexington, Kentucky 40506.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
 Board of Registration for Professional Engineers
 and Land Surveyors
 (201 KAR 18:080)

RELATES TO: KRS 322.110, 322.120, 322.130, 322.140, 322.150, 322.160, 322.170, 322.220, 322.300, 322.420
 PURSUANT TO: KRS 322.110, 322.120, 322.150, 322.290, 322.420, 13.082

SUPERSEDES: PE&LS-VIII-1
 NECESSITY AND FUNCTION: Outlines the board's responsibility under KRS Chapter 322 to issue certificates to successful applicants seeking registration/certification and annual renewal registration cards to registrants complying with license renewal procedures.

Section 1. Licensing Certificates and Cards. (1) The board will issue to each successful applicant a certificate of such size and form as it may approve certifying that the applicant is either "in training," or is licensed to practice. Each licensee is issued, simultaneously a card which is renewable each year upon payment of renewal fee to indicate that his license certificate is currently valid. Cards are not issued to those holding in-training certificates.

(2) Professional engineers or land surveyors licensed under this Act and doing business with the public on their own account or as chief executives or consultants shall keep their licenses issued by the board posted conspicuously in their places of business where they can be readily examined by the public.

ADOPTED: January 21, 1975
 APPROVED: ELIJAH M. HOGGE, Secretary
 RECEIVED BY LRC: April 15, 1975 at 9:34 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, University Station, Lexington, Kentucky 40506.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
 Board of Registration for Professional Engineers
 and Land Surveyors
 (201 KAR 18:090)

RELATES TO: KRS 322.130
 PURSUANT TO: KRS 322.130, 322.290, 13.082
 SUPERSEDES: PE&LS-IX-1

NECESSITY AND FUNCTION: Sets forth the form of license to be issued to successful candidates for registration as professional engineers and land surveyors and certification of engineers-in-training and land surveyors-in-training.

Section 1. Serial Numbers. Certificates serially numbered within each class in the order in which applications are approved by the board, will be issued to successful applicants of each of the four (4) classes of applicants.

ADOPTED: January 21, 1975
 APPROVED: WILLIAM E. SCENT, Commissioner
 RECEIVED BY LRC: April 15, 1975 at 9:34 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, University Station, Lexington, Kentucky 40506.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
 Board of Registration for Professional Engineers
 and Land Surveyors
 (201 KAR 18:100)

RELATES TO: KRS 322.340, 322.440, 322.400

PURSUANT TO: KRS 322.290, 322.340, 322.440, 13.082

SUPERSEDES: PE&LS-X-1

NECESSITY AND FUNCTION: Sets forth the requirements and uses for personal seals for licensees.

Section 1. Seals. The board requires that the seal specified for professional licensees be embossed metallic. In addition each licensee may obtain a facsimile of the seal in the form of a rubber stamp if required for convenience in his professional practice.

ADOPTED: January 21, 1975
 APPROVED: WILLIAM E. SCENT, Commissioner
 RECEIVED BY LRC: April 15, 1975 at 9:35 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, University Station, Lexington, Kentucky 40506.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
 Board of Registration for Professional Engineers
 and Land Surveyors
 (201 KAR 18:110)

RELATES TO: KRS 322.150, 322.160, 322.330, 322.420
 PURSUANT TO: KRS 322.160, 322.290, 13.082
 SUPERSEDES: PE&LS-XI-1

NECESSITY AND FUNCTION: Clarifies procedures in complying with KRS Chapter 322 requirements for notification of renewal fees due from registrants, reinstatements and military credit.

Section 1. Renewals of Licenses. (1) Each licensee must keep the board informed of any change in his address. The board's notice of license expiration and the amount of the fee for the ensuing fiscal year is sent to the last known address of the licensee. It is the duty of the licensee to renew his license regardless of whether or not the board's notice reaches him.

(2) The procedure to be followed by those who wish to renew a license after a lapse of more than one (1) year constitutes reinstatement. If the evidence submitted in support of a request for reinstatement is unsatisfactory to five (5) or more members of the board, reinstatement will not be approved.

(3) Any licensee who is serving or has served in the armed forces of the United States, must present proper evidence of his service entry, service continuation or discharge in order for the board to give proper credit therefor in the administration of his professional records.

ADOPTED: January 21, 1975
 APPROVED: WILLIAM E. SCENT, Commissioner
 RECEIVED BY LRC: April 15, 1975 at 9:35 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, University Station, Lexington, Kentucky 40506.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
 Board of Registration for Professional Engineers
 and Land Surveyors
 (201 KAR 18:120)

RELATES TO: KRS 322.170
 PURSUANT TO: KRS 322.170, 322.290, 13.082
 SUPERSEDES: PE&LS-XII

NECESSITY AND FUNCTION: Outlines the board's authority under KRS Chapter 322 and the procedure for reissuance of license certificates.

Section 1. Reissuance of License Certificate. A new certificate to replace any certificate lost, destroyed or mutilated, may be issued and a charge not to exceed five dollars (\$5) shall be made for such reissuance.

ADOPTED: January 21, 1975
 APPROVED: WILLIAM E. SCENT, Commissioner
 RECEIVED BY LRC: April 15, 1975 at 9:35 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, University Station, Lexington, Kentucky 40506.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
 Board of Registration for Professional Engineers
 and Land Surveyors
 (201 KAR 18:130)

RELATES TO: KRS 322.180, 322.190, 322.200, 322.210, 322.220, 322.320, 322.250, 322.430
 PURSUANT TO: KRS 322.180, 322.190, 322.200, 322.290, 322.430, 13.082

SUPERSEDES: PRELS-XIII-1

NECESSITY AND FUNCTION: Establishes procedural guidelines for board hearings and processing of informal charges and complaints as required under KRS Chapter 322.

Section 1. Administrative Adjudication Procedure. (1) This rule governs the procedure of the board in all proceedings before the board in which the legal rights, duties or privileges of any person are required by statute or by board rules to be determined after an opportunity for a hearing. This procedure shall be construed to secure a just, speedy and inexpensive determination of every proceeding.

(2) Definitions for purposes of rules:

- (a) "Person" means any individual, partnership, corporation or association.
- (b) "Board" means the State Board of Registration for Professional Engineers and Land Surveyors as provided by KRS Chapter 322.
- (c) "Order" means the whole or part of any final disposition of an adjudication.
- (d) "Adjudication" means the board process in which the sanction may be imposed.
- (e) "Sanction" means revocation or suspension of a license, or reprimand of the licensee.
- (f) "License" means any permit, certificate, or registration granted by the board.

(3) Public information:

- (a) Publication, procedure. This procedure shall be published and made available to the public for the guidance of the public.
- (b) Publication, adjudication. From time to time, as is convenient to the board, but at least once annually, a list of all adjudications of the board shall be published, identifying the respondent and the final disposition in the matter.
- (c) Official record. All matters of official record in any adjudication shall be available to the public for inspection and copying except that the work product of the board investigatory staff shall not be, unless specifically made a part of the official record of an adjudication proceeding.

(4) Complaints and investigations:

- (a) Formal complaints. Formal charges may be made by any person filing an original and two (2) copies of a complaint with the board secretary-treasurer at the board offices, in the general pleading form used by complainants in any civil action in Kentucky. The complaint shall contain:
 - 1. The name, place of residence, the address of any person making charges as well as the name, place of residence, and address of the person or persons charges are being made against.
 - 2. A clear and concise description of the issues of fact and law involved and the statutes, rules and regulations and sections of the code of ethics which the party complained against has violated.
 - 3. The relief sought.
- (b) Informal complaints. Information of personal knowledge of any person, which, if true, would indicate a possible violation of the registration law by a registrant or applicant, may be presented to the board's executive director. Upon receipt of such information, the executive director shall, without informing the board of any of the particulars:
 - 1. Investigate the matter, which investigation may be conducted by calling the parties involved to conference, by personally investigating the matter, or by having the matter investigated by the board staff, or any combination of these methods.
 - 2. Compile all related evidence of probative value.

(5) Commencement of actions:

- (a) Formal complaints. Upon receipt of the formal complaint referred to in subsection (4) (a), the executive director shall set a date for hearing, agreeable to the board and cause to have prepared a notice of hearing so as to afford the parties reasonable and timely notice. The notice of hearing shall:
 - 1. Contain notification of the time and place of the hearings, with due regard for the convenience and necessities of all parties or their representatives.
 - 2. Indicate the return deadline for the respondent's answer, as provided by law.
 - 3. Be served by personal service in accordance with the rules of civil procedure or by mailing to the respondent, postage prepaid, certified mail, with a copy of the complaint annexed thereto, at least thirty (30) days in advance of the date set for hearing.
- (b) Informal complaints. Upon completion of the investigation provided for in subsection (4) (b), the executive director shall evaluate the evidence resultant thereof to determine its substantive value. The executive director shall then:
 - 1. If the complaint has no foundation in fact, transmit to the person providing the information his determination as to the insufficiency of the evidence, after which said person may proceed under subsection (4) (a) if the executive director's determination is that the evidence is insufficient to show a cause of action; or
 - 2. In all other cases:
 - a. Cause to have prepared a formal complaint as provided in subsection (4) (a); and
 - b. Cause to have a date set for hearing, and cause a

notice of hearing to be prepared and served as provided in subsection (5) (a).

- (c) Motion to dismiss. The board may, prior to the service of the notice of hearing as provided in subsection (5) (a) 3. consider the charges and, on its own motion or on motion of any party, dismiss the complaint for insufficiency. If the motion is adopted by the board, the executive director shall:
 - 1. Issue an order, dismissing the matter.
 - 2. Cause to have all interested parties notified.

- (d) Notification to board. The individual members of the board shall be furnished a copy of the formal charges provided for in subsection (4) (a) and subsection (5) (b) 2.a., and any answer or other responsive pleading filed in the matter, as soon as reasonably possible after the date of hearing is set.

- (e) Filing. The original of all pleadings must be filed with the executive director of the board.

(6) Pre-hearing procedure:

- (a) Pre-hearing conferences. Pre-hearing conferences may be conducted by the board's executive director who shall keep a record of any agreement as to issues, admission of facts, or stipulations. Any proposed stipulation shall:
 - 1. Be transmitted to the board.
 - 2. Not be considered to be a waiver of any defenses until accepted by the board.
 - 3. Be in writing.
 - 4. Not be binding upon any of the parties until accepted by the board.
- (b) Evidence. The respondent should be afforded every opportunity to defend and should not be surprised. In order to enable the respondent to defend:
 - 1. Board subpoenas authorized by the law shall be issued to any party upon request and upon a statement, or showing of general relevance or a reasonable scope of the evidence sought.
 - 2. The executive director shall furnish copies of, or give access to, all exhibits to be presented to the hearing, to all parties of record.
 - 3. Any communication between the executive director and the board regarding the controversy, subsequent to initiation of an action, shall be in writing and a copy thereof furnished the respondent or his authorized representative.
- (c) Sufficiency. In every case, the board will automatically review the formal complaint and dismiss on its motion if it finds the complaint unfounded or trivial.

(7) Conduct of hearings:

- (a) Generally. Hearings shall be conducted before no fewer than six (6) board members. The hearing shall:
 - 1. Be presided over by the board chairman or, in his absence, by the board member designated by the board, who shall be advised on legal issues by a board counsel.
 - 2. Be officially recorded.
 - 3. Be continued or adjourned for reasonable cause shown.
- (b) Evidence. In any contested case, the board shall adhere to the following rules of evidence:
 - 1. Except as provided otherwise by these rules, the rules of evidence as applied in civil cases in the circuit courts of the Commonwealth of Kentucky need not be strictly followed. It is the board's intention to permit full development of all relevant issues.
 - 2. Irrelevant, immaterial or unduly repetitious evidence shall be excluded.
 - 3. The board shall give effect to the rules of privilege which are recognized by the laws of the Commonwealth of Kentucky.
 - 4. When a hearing will be expedited and the interests of the parties will not be prejudiced substantially thereby, all or part of the evidence may be received in written form upon agreement of the parties to the action.
 - 5. Documentary evidence may be introduced in the form of copies or excerpts, if the original is not readily available; provided that upon request parties shall be given an opportunity to compare the copy with the original.
 - 6. Notice may be taken of judicially cognizable facts. In addition, notice may be taken of generally recognized technical or scientific facts within the board's specialized knowledge; provided, however, that the parties shall be afforded an opportunity to contest the facts so noticed.
 - 7. Objections to evidentiary offers may be made and shall be noted in the record.
 - 8. When necessary to ascertain facts which cannot otherwise be proved, evidence not admissible under the foregoing rules may be admitted (except where precluded by statute) if it is of a type commonly relied upon by reasonably prudent men in the conduct of their affairs.
- (c) Record. After adopting findings of fact and conclusions of law, the board shall issue an order dismissing the action, or providing the sanction under the law it deems warranted. The order shall:
 - 1. Be explicit and include as a part thereof the offi-

cial findings of fact and conclusions of law of the board.

2. Be served upon the respondent or his attorney by the board executive director.

(8) Appeal to board:

- (a) Briefs. In every case all parties may submit written briefs to the full board for its review prior to issuance of an order, but said briefs may be waived by the parties. The executive director shall notify all parties by mail within two (2) business days after receipt of the transcript of the hearing, if a hearing was held, and such notification shall disclose to the parties the date of the receipt by the board of the transcript of the hearing. The times within which briefs must be submitted are as follows:
 1. Affirmative briefs within twenty (20) days or receipt of transcript.
 2. Reply briefs within thirty (30) days of receipt of transcript.
 3. Response briefs to reply briefs within thirty-five (35) days of receipt of transcript.
 - (b) The board may, for cause shown, extend the time within which the parties to any action may file briefs.
 - (c) Appeal. A petition to the board for vacation or reduction of the severity of a sanction imposed shall be in writing and may be submitted at any time subsequent to the issuance of an order except that the board is not required to provide a hearing for consideration thereof.
- (9) Non-registrants:
- (a) Applicants for registration. Complaints related to an applicant's qualifications may be received and investigated as provided in subsection (4) (b). However, if registration is denied the applicant as a result of the complaint, the applicant shall be notified of:
 1. The basis for denial.
 2. His right to a public hearing before the board, if he wishes to contest the matter.
 - (b) Practice or offer to practice by non-registrants. Complaints related to an applicant's qualifications may be received and investigated as provided in subsection (4) (b). Upon receipt of such complaint the executive director shall:
 1. Attempt to have the complainant seek court action as provided for in KRS Chapter 322; or
 2. The board may seek court action in its own name.
- (10) Ancillary matters:
- (a) Board staff. An employee or agent directly engaged in the performance of investigative or advocacy functions for the board, in any case involving sanction, shall not participate or advise in the decision, recommended decision, or board review, except as witness or counsel in a public hearing or as herein provided.
 - (b) Legal counsel. Any person compelled to appear before the board or its representative is entitled to be accompanied, represented and advised by counsel.
 - (c) Subpoena. Any member of the board or its executive director may administer oaths and issue subpoenas for the board.

GEORGE W. VAUGHN, Secretary-Treasurer

ADOPTED: January 21, 1975

APPROVED: WILLIAM E. SCENT, Commissioner

RECEIVED BY LRC: April 15, 1975 at 9:36 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky State Board of Registration for Professional Engineers and Land Surveyors, University Station, Lexington, Kentucky 40506.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 15:010)

RELATES TO: KRS 247.220

PURSUANT TO: KRS 247.220, 13.082

SUPERSEDES: AGR:PS:10

NECESSITY AND FUNCTION: Provides rules and regulations by which the state aid to the local fairs program must be administered. It explains to the Department of Agriculture, Division of Shows and Fairs and to the local fairs their responsibilities in the program.

Section 1. General Administration. (1) The Director of the Division of Shows and Fairs in the Department of Agriculture shall only make premium allocations to the authorized agent of an incorporated local fair board that conducts an agricultural fair in compliance with KRS 247.220.

(2) Local fair boards applying for state funds shall see that a reasonable effort is made by local fair officials to develop a program that will supplement agricultural educational and promotional activities that coincide with the objectives of agencies officially charged with these responsibilities.

(3) Local fair boards seeking state assistance shall plan and conduct an agricultural fair with educational exhibits running for at least three (3) consecutive days (thirty-six (36) hours of exhibition).

(4) The original allocation for approved fairs made by the Department of Agriculture shall result in a net increase in the amount of money paid out for premiums and awards for existing classes and/or the establishment of new departments, and classes. The increase in money expended for premiums and awards by fairs receiving the first allocation from the department shall equal or exceed the amount of the total state premium money, a local fair board shall give evidence of improving or at least maintaining the local appropriation for premiums for agricultural exhibits.

(5) Local boards shall establish premiums related to economic importance of the commodity in the area, relative value of the exhibit, and the difficulty in preparing for and showing the entry.

(6) State funds shall be limited to crop, livestock and other agricultural exhibits that have a good potential for profitable expansion or the improvement of the agricultural economy of the area. No funds shall be allocated to exhibits for which exhibit entry and/or spectator admission fees are charged.

(7) Ribbon colors used at each local fair shall coincide with those adopted by the International Association of Fairs.

(8) Fair boards seeking state funds shall provide adequate health facilities for exhibitors tending exhibits and for fair attendants.

Section 2. Records. (1) Requests for state assistance shall be made annually on appropriate forms and mailed to the Division of Shows and Fairs by March 1.

(2) A complete financial statement and an official catalogue for events previously requesting state funds shall be submitted to the Department of Agriculture prior to the allotment of funds by the Director of Shows and Fairs. A certification that all exhibitors participating in the event were the bona fide owners of all entries shall accompany each fair statement.

(3) The annual financial statement shall cover all agricultural exhibits. It shall be complete and prepared in detail showing receipts and disbursements as well as a list of exhibitors and cash premiums awarded by fair departments. The notarized statement, subject to certification, by a Certified Public Accountant shall be presented to the department's Director of the Division of Shows and Fairs within forty-five (45) days following the event and no statement will be accepted for payment after December 1.

Section 3. Entries. (1) Fairs qualifying for state funds shall provide for adult and youth divisions. Youth exhibits shall include 4-H and Future Farmers of America and may include other official groups recognized by the extension service or vocational agriculture. All crop and livestock projects or other projects related to agriculture approved by these official groups may be approved for state funds. Fair boards may restrict youth participation to a particular district, county or trade area.

(2) All exhibitors, adult and youth, shall have equal opportunity to enter open classes.

(3) Local fair boards receiving state money shall see that exhibits eligible in more than one (1) class and/or section is exhibited only in the class and/or section for which it best qualifies. Under no circumstances may an exhibitor show the same kind of animal or the same entry in both Future Farmers of America and 4-H classes or in classes for other organized junior organizations.

(4) No more than two (2) exhibits shall be made from a household in any one (1) class with the exception of official 4-H or F.F.A. projects and where purebred animals are registered to other members of the household.

(5) No exhibitor may enter more than two (2) breeds of the same type of breeding animals at any fair. Market and feeder classes are excluded from this limitation.

(6) All livestock and crop entries receiving state premium money shall conform to official show classifications adopted by the Kentucky State Fair, and comply with State Board of Agriculture and the Department of Agriculture regulations. The age classification of livestock shall be listed in the official fair catalogue and all classes shall conform to the standards recommended by the various breed associations. Dairy cattle classes shall conform to the standards recommended by the Kentucky Purebred Dairy Cattle Association. Classes with less than three (3) entries each may be combined for show purposes; however, combined classes and all other entries that fail to comply with classification requirements will not be eligible for state premium money.

(7) All livestock entries shall meet the specifications of the health regulations of the State Board of Agriculture relating to the exhibition of beef and dairy cattle, sheep and swine.

(8) When counties are able to assemble outstanding products or livestock from a number of farms that could provide an impressive display, county classes may be provided. Otherwise, all classes shall be open to all eligible exhibitors.

Section 4. Catalogue. (1) All qualified fairs shall have an official fair catalogue. A rough copy of the catalogue including premium lists and classes shall be submitted to be approved by the Department of Agriculture at least forty-five (45) days prior to the opening of the fair. The finished catalogue shall be submitted to the Director of the Department of Agriculture's Division of Shows and Fairs no later than thirty (30) days before the fair is held.

(2) Classes advertised in the catalogue shall be reviewed annually by the local fair board to make certain that competitive events are being held and that premiums offered are not

out of balance with entries.

- (3) The catalogue shall contain the following information:
- (a) The fair is "planned and conducted according to Department of Agriculture regulations for the use of state funds."
 - (b) A list of fair officials and their assigned responsibilities.
 - (c) A schedule of events planned as a part of the fair.
 - (d) Local fair rules and regulations.
 - (e) General information and regulations by fair departments showing judges, classes and premium lists.
 - (f) Health regulations by types of livestock to be exhibited.
- (4) Catalogues shall be mailed and distributed by the local fair board no later than thirty (30) days prior to the opening of the fair.

Section 5. Judges. (1) To assist with the educational objectives of each event, judges shall be encouraged to present reasons for their evaluations and decisions.

(2) Wherever possible, judges shall be chosen from approved lists and they shall make their evaluations according to official score cards.

(3) No person shall be an exhibitor or act as an agent in any division or department for which he serves as a judge.

Section 6. State Allocation. (1) The Department of Agriculture's premium money shall be allocated to all approved fairs on the basis of the total local premium money available as indicated by fair records including catalogues. In no instance shall the total allocation for one or more fairs held annually in a single county exceed \$2,000. In addition, state money for each class shall not exceed fifty (50) percent of the total premiums awarded. Premiums established for a carcass class, a class for performance tested beef animals or a dairy production class based on dairy herd improvement records shall be excluded from the match-fund limitation and may be paid entirely with state funds. Local fair officials shall start only one (1) of these classes at a time and the second and third choice shall not be made until each of these classes are effectively developed.

(2) When total local premium money available for state approved fair departments and classes at all approved fairs exceeds the state appropriation for premiums, the allocation will be made on the percentage basis. One-half (1/2) of the allocation to each fair will be paid to the fair board after the catalogue has been approved by the Department of Agriculture and published. The remaining one-half (1/2) of the allocation will be paid soon after the fair's complete financial report is received by the Department of Agriculture's Division of Shows and Fairs, providing all remaining requirements have been met and the necessary records submitted to the department.

(3) The combination of county fairs or community fairs of a number of counties shall not be approved to justify a larger state premium allocation.

(4) When the Department of Agriculture provides the total cost of premiums for a carcass class, a class for performance tested beef animals, or a dairy production class, all classes, rules, and facilities for the respective contest must be approved by the department. Carcass evaluations for meat animals shall be conducted in accordance to standards recommended by the Reciprocal Meats Conference and approved by the Meats Section of the University of Kentucky. Carcass contests financed by state funds shall be conducted in adequate facilities and they should permit spectators to view the carcasses and receive the full educational opportunity. Contest rules for local fairs shall specify that purebred animals and grades will show together. Carcass contests or production or performance classes that will make the greatest contribution to the agriculture of an area and that have the necessary facilities available for their effective operation shall be chosen by fair officials.

(5) The director of the department's show and fair program shall provide from the appropriation for county fairs an attractive trophy that will be rotated and engraved and presented annually to the local fair that has made the most progress in twelve (12) months. The presentation shall be made by the Department of Agriculture's Fair Council based on records submitted to the department and substantiated by other evidence.

WENDELL P. BUTLER
Commissioner of Agriculture

ADOPTED: February 27, 1975

APPROVED: DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 10, 1975 at 4:41 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner,
Department of Agriculture, Capital Plaza Tower, Frankfort,
Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 15:020)

RELATES TO: KRS 246.250

PURSUANT TO: KRS 246.250, 13.082

SUPERSEDES: AGR:FS:20

NECESSITY AND FUNCTION: To establish requirements for state-supported purebred dairy cattle shows and sales.

Section 1. General Requirements for Shows and Sales. (1) All animals exhibited in the show shall be consigned and sold in the sale.

(2) No exhibitor may consign more than three (3) females and one (1) male or four (4) females to the show and sale.

(3) No more than four (4) bulls may be consigned to a show and sale. Young bulls which have not been proved must have a pedigree showing that they are out of dams having milk and butterfat production records exceeding the national breed average by at least sixty (60) percent and classified very good or better. Proved sires which have a proof on ten (10) or more daughters averaging thirty (30) percent or more above the national breed average for milk and butterfat may be considered. Sires of young bulls should be at least plus proven for milk and butterfat.

(4) A minimum of forty (40) animals shall be consigned to each event. Consignments must be made from at least five (5) states for the first sale. Total number of states consigning animals annually shall increase at the rate of one (1) each year until a minimum of ten (10) states are participating.

(5) Co-sponsors of state-supported shows and sales shall set the highest possible objectives and plans for each event and, in almost all instances, they shall exceed those set by the usual consignment sale.

(6) Each cooperating agency shall select, in cooperation with the department, an auctioneer and sales manager experienced in conducting sales of national scope.

(7) The judge or judges for the show shall be of national prominence and selected in cooperation with the department from approved lists that may be published by the breed associations.

(8) All females over three (3) years of age entered in a show or sale must be classified "very good" or "better" and if a cow is not old enough to classify, her dam should be classified very good or better. Good plus cows may be considered by the sales committee if milk and fat production exceeds the national breed average by forty (40) percent.

(9) Animals considered unsound in any manner shall not be accepted by show and sale officials.

(10) All milking animals three (3) years old or over entered in the show and sale must have an official (Standard DHIA and/or official breed record) annual production record at least twenty-five (25) percent above the current DHIA national breed average on mature equivalent basis of milk and butterfat.

(11) Heifers not in production must be from animals having average production records equal to twenty-five (25) percent above the national breed average for milk and butterfat.

(12) The cooperating agency shall prepare and present to the department adequate records pertaining to the show and sale prior to final settlement on advertising.

(13) The records mentioned in subsection (12) shall include:

- (a) A record of the transfer of ownership of each animal from the breed association;
- (b) A list of consignors, animals sold, premiums awarded, selling price, name and address of purchaser;
- (c) Sample copies of printed advertisements and promotional material and copies of invoices covering advertising costs; and
- (d) Financial statement showing the total receipts and disbursements for the event.

(14) Dates for state-supported purebred shows and sales shall be selected in cooperation with the department and shall not conflict with similar events. Consideration shall be given to marketing patterns, seasons, and the possibility of tying the show and sale in with other major national and state activities.

(15) The location of these national events shall be selected in cooperation with the department after due consideration is given to the following:

- (a) Facilities for showing and selling high quality cattle;
- (b) Housing accommodations for exhibitors and buyers;
- (c) Transportation-air travel and highway network;
- (d) Arrangements for handling wire bids; and
- (e) Added attractions in the area.

(16) Show and sale planning committees appointed by each state breed association shall include the Director of the Department of Agriculture's Livestock Show Program and representatives of the national and state breed association. Representatives from other groups and organizations, such as, Chamber of Commerce, tourist commission, and farm organizations shall be added to the committees when they are willing and able to make a contribution to the success of the show and sale. The committee chairman and other officers for the event shall be elected by the committee.

(17) All persons attending a consignment show or sale do so at their own risk.

(18) All records on pedigree information shall cover the three (3) preceding generations and be presented to the show and sale officials when consignment is made.

(19) The cooperating agency may charge an entry fee up to but not to exceed the amount of premium offered by the department. A sales commission may be charged by the cooperating agency to cover the actual cost of the sale but in no case shall the commission exceed twenty-five (25) percent of the gross sales.

(20) Sales practices and procedures recommended by the Purebred Dairy Cattle Association shall apply as minimum requirements to all matters pertaining to the sale not otherwise covered by departmental policy or law.

Section 2. Terms and Conditions of Sale. (1) Terms of the sale in addition to those recommended by the Purebred Dairy Cattle Association shall be established by the cooperating agency with the approval of the department.

(2) The auctioneer shall be responsible for settling disputes as to bids and his decision on such matters shall be final.

(3) All payments shall be made to the individual designated by the cooperating agency.

(4) The purchaser assumes all risk for animals as soon as they are struck off; however, the cooperating agency shall care for the animals free of charge for a period of at least twenty-four (24) hours.

(5) Arrangements shall be made by the cooperating agency for adjustments or refunds on sales that fail to comply with rules and regulations.

Section 3. Health Requirements. (1) All animals consigned to the show and sale must be accompanied by an official health certificate from the state of origin which bears the approval of the livestock sanitary official of the state of origin showing compliance with Kentucky's exhibition and sale requirements. Current health regulations shall be published in the catalogue.

(2) All records qualifying animals for the show and sale must be presented to the cooperating agency or their representatives when the entry is made.

Section 4. Catalogue Requirements. (1) The consignment show and sale catalogue shall be prepared by the sales committee and shall contain a list of all show classes and the premiums allocated in addition to the information pertaining to the sale. Show classes shall conform to the standards adopted by the Purebred Dairy Cattle Association.

(2) Each animal listed for sale in the catalogue shall be identified in as much detail as possible. All production records along with the pedigree, calfhood vaccination for Bang's disease, classification information, and other information relating to its breeding and show honors shall be listed.

(3) Both consignor and breeder shall be listed on the pedigree of each animal in the catalogue.

(4) The names and complete addresses of all consignors and the lot number of the animals they consign shall be given.

(5) The catalogue shall contain information on:

- (a) Location of show and sale headquarters;
- (b) Hotel or motel room reservations;
- (c) Shipping arrangements;
- (d) Provisions for handling wire and mail bids;
- (e) Sponsors;
- (f) Entertainment; and
- (g) Educational activities.

(6) No commercial advertisements shall appear in the catalogue.

(7) Catalogues shall be ready for distribution not later than fifteen (15) days in advance of the event.

(8) The catalogue shall feature a section on the location of the event in relation to other major towns, major highways, and tourist attractions.

Section 5. Advertising Requirements. (1) All advertising for shows and sales shall be planned and contracted in cooperation with the department, and all shows and sales shall be advertised as state-supported events co-sponsored by the national and state associations and the department.

(2) The cost of the show and sale catalogue may be considered advertising costs to be paid by the department.

(3) Initial advertising, nationwide shall begin at least four (4) months in advance of the sale.

WENDELL P. BUTLER
Commissioner of Agriculture

ADOPTED: February 27, 1975

APPROVED: DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 10, 1975 at 4:41 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 15:030)

RELATES TO: KRS 246.250

PURSUANT TO: KRS 246.250, 13.082

NECESSITY AND FUNCTION: To establish requirements for state-supported purebred beef cattle shows and sales.

Section 1. General Requirements for Shows and Sales.

(1) All animals exhibited in the show shall be consigned and sold in the sale.

(2) No exhibitor may consign more than four (4) females and two (2) males or six (6) females to the show and sale.

(3) A minimum of forty (40) animals shall be consigned to each event. Consignments must be made from a minimum of at least five (5) different states.

(4) Any show, exhibition, and sale of purebred cattle to be eligible to receive the aforesaid appropriations must provide that the entries in all classes must be open upon equal terms to the breeders of such cattle in all of the states of the United States, and the Dominion of Canada may be included. The commissioner shall determine with respect to each of the

aforesaid breeds of cattle which show, exhibition and sale is the largest to be held in Kentucky in each year and, in making such determination, he may consider such shows, exhibitions and sales as may have been held in Kentucky in any previous two (2) year period.

(5) Co-sponsors of state-supported shows and sales shall set the highest possible objectives and plans for each event and, in almost all instances, they shall exceed those set by the usual consignment sale.

(6) Each cooperating agency shall select, in cooperation with the department, an auctioneer and sales manager experienced in conducting sales of national scope.

(7) The judge or judges for the show shall be of national prominence and selected in cooperation with the department from approved lists that may be published by the breed associations.

(8) Animals considered unsound in any manner shall not be accepted by show and sale officials.

(9) The cooperating agency shall prepare and present to the department adequate records pertaining to the show and sale prior to final settlement on advertising. These records shall include:

- (a) A list of consignors, animal sold premiums awarded, selling price, name and address of purchaser;
- (b) Sample copies of printed advertisements and promotional material and copies of invoices covering advertising costs; and
- (c) Financial statement showing the total receipts and disbursements for the event.

(10) Dates for state-supported purebred shows and sales shall be selected in cooperation with the department and shall not conflict with similar events. Consideration shall be given marketing patterns, seasons, and the possibility of tying the show and sale in with other major national and state activities.

(11) The location of these national events shall be selected in cooperation with the department after due consideration is given to the following:

- (a) Facilities for showing and selling high quality cattle;
- (b) Housing accommodations for exhibitors and buyers;
- (c) Transportation, air travel and highway network;
- (d) Arrangements for handling wire bids; and
- (e) Added attractions in the area.

(12) Show and Sale planning committees appointed by each state breed association shall include the Director of the Department of Agriculture's Livestock Program and representatives of the national and state breed association. Representatives from other groups and organizations such as Chamber of Commerce, tourist commissions, and farm organizations shall be added to the committees when they are willing and able to make a contribution to the success of the show and sale. The committee chairman and other officers for the event shall be elected by the committee.

(13) All persons attending a consignment show or sale do so at their own risk.

(14) All records on pedigree information shall cover at least three (3) generations and be presented to show and sale officials when consignment is made.

(15) The cooperating agency may charge an entry fee up to but not to exceed the amount of premium offered by the department. A sales commission may be charged by the cooperating agency to cover the actual cost of the sale but in no case shall the commission exceed fifteen (15) percent of the gross sales.

(16) Sales practices and procedures recommended by the individual breed association shall apply as minimum requirements to all matters pertaining to the sale not otherwise covered by departmental policy or law.

Section 2. Terms and Conditions of Sale. (1) Terms of the sale in addition to those recommended by the individual breed association shall be established by the cooperating agency with the approval of the department.

(2) The auctioneer shall be responsible for settling disputes as to bids and his decision on such matters shall be final.

(3) All payments shall be made to the individual designated by the cooperating agency.

(4) The purchaser assumes all risk for animals as soon as they are struck off; however, the cooperating agency shall care for the animals free-of-charge for a period of at least twenty-four (24) hours.

(5) Arrangements shall be made by the cooperating agency for adjustments or refunds on sales that fail to comply with rules and regulations.

Section 3. Catalogue Requirements. (1) The consignment show and sale catalogue shall be prepared by the sales committee and shall contain a listing of all show classes and the premiums allocated in addition to the information pertaining to the sale.

(2) Each animal listed for sale in the catalogue shall be identified in as much detail as possible. All production records along with the pedigree, calfhood vaccination for Bang's disease and other information relating to its breeding and show honors shall be listed.

(3) Both consignor and breeder shall be listed on the pedigree of each animal in the catalogue.

(4) The names and complete addresses of all consignors and the lot number of the animals they consign shall be given.

(5) The catalogue shall contain information on:

- (a) Location of show and sale headquarters;
- (b) Hotel or motel room reservations;

- (c) Shipping arrangements;
 - (d) Provisions for handling wire and mail bids;
 - (e) Sponsors;
 - (f) Entertainment; and
 - (g) Educational activities.
- (6) No commercial advertisements shall appear in the catalogue.

(7) Catalogues shall be ready for distribution not later than fifteen (15) days in advance of the event.

(8) The catalogue shall feature a section on the location of the event in relation to other major towns, major highways, and tourist attractions.

Section 5. Advertising Requirements. (1) All advertising for shows and sales shall be planned and contracted in cooperation with the department, and all shows and sales shall be advertised as state-supported events co-sponsored by the national and state associations and the department.

(2) The cost of the show and sale catalogue may be considered advertising costs to be paid by the department.

(3) Initial advertising, nationwide, shall begin at least four (4) months in advance of the sale.

Section 6. Health Requirements. (1) All animals consigned to the show and sale must be accompanied by an official health certificate from the state of origin which bears the approval of the livestock sanitary official of the state of origin showing compliance with Kentucky's exhibition and sale requirements. Current health regulations shall be published in the catalogue.

(2) All records qualifying animals for the show and sale must be presented to the cooperating agency or their representative when the entry is made.

WENDELL P. BUTLER, Commissioner of Agriculture

ADOPTED: February 27, 1975

APPROVED: DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 10, 1975 at 4:41 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 25:005)

RELATES TO: KRS 260.675 to 260.760

PURSUANT TO: KRS 260.715, 13.082

SUPERSEDES: Agr: MMC 8

NECESSITY AND FUNCTION: KRS 260.680 sets forth definitions as used in KRS 260.675 to 260.760, unless otherwise required by context. This regulation defines additional terms used in KRS 260.675 to 260.760.

Section 1. Definitions for Title 302, Chapter 25, unless otherwise required by context, are as follows:

(1) "Commission" means the Milk Marketing and Antimonopoly Commission.

(2) "Commissioner" means the Commissioner of Agriculture.

(3) "Person" means any individual, corporation, partnership, association, cooperative, or other business units.

(4) "Producer" means every person who produces milk or cream from cows and thereafter sells the same as milk, cream, or other dairy products.

(5) "Producer-handler" means any person who maintains his own herd, prepares for human consumption the milk or cream or other dairy products produced from the herd, and distributes and sells his own products, partially or exclusively, to customers or to others for sale to customers.

(6) "Milk dealer" or "handler" means any person, including any distributor, processor, bulk milk handler, or operator of a store, who purchases or receives on consignment or otherwise milk, cottage cheese or frozen dairy products, as hereinafter defined, within the state for sale, shipment, storage, processing or manufacture, other than for consumption on the premises; a producer who delivers milk only to a processor, distributor or bulk milk handler shall not be deemed a milk dealer or handler; if a cooperative distributes or makes available on consignment or otherwise milk, cottage cheese or frozen dairy products, within the state to any person, it shall be deemed to be a milk dealer or handler as to that part of its business.

(7) "Consumer" means any person, other than a milk dealer or handler, who purchases milk, cottage cheese or frozen dairy products for the consumption or use by himself or others.

(8) "Cooperative" means the term as defined in KRS Chapter 212, or an association organized under similar laws of another state.

(9) "Licensee" means a licensed milk dealer or handler.

(10) "Distributor" means any person, other than a bulk milk handler, engaged in the business of distributing milk, cottage cheese or frozen dairy products at wholesale or retail to consumers, stores or other distributors.

(11) "Processor" means any person engaged in the business of processing or packaging bulk milk and other materials into milk, cottage cheese or any frozen dairy products.

(12) "Cost to the processor or distributor" means the price paid for raw materials, plus the cost of doing business, as evidenced by the standards and methods of accounting regularly employed by such processor or distributor. The cost of doing business means all costs of doing business incurred in the

conduct of the business and shall include without limitation the following items of expense: labor, including salaries of executives and officers; rent; interest on borrowed capital; depreciation; power; supplies; maintenance of equipment; selling costs; transportation; delivery cost; credit losses; all overhead expenses, including over-order premiums, shrinkage, and loss incurred in disposal of excess; and all types of licenses; taxes; insurance and advertising, provided, however, that for the purpose of computing the cost of the processor or the distributor with respect to the milk deliveries received from producers or their marketing agent, the cost shall be not less than:

(a) The amount computed at the applicable minimum federal order price as it applies to the processor or the distributor who is subject to the classification and pricing provisions of a federal marketing agreement or order issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, or

(b) The amount computed at such minimum price or prices as may have been fixed by the official order of the commission for the geographic area in which the plant of the processor or the distributor is located as it applies to the processor or the distributor who is not subject to the classification and pricing provisions of a federal marketing agreement or order issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended.

(13) "Bulk milk" means milk in bulk form, in cans, tank cars or tank trucks, that is furnished to a processor for the purpose of processing and manufacturing into milk, cottage cheese or frozen dairy products, or any combination thereof.

(14) "Bulk milk handler" means any person engaged in the business of disposing of bulk milk to a processor, provided that the term "bulk milk handler" shall not include a cooperative association with respect to the sale of the milk of its members.

(15) "Cost of a bulk milk handler" means the price paid dairy farmers for the milk, including premiums, plus receiving plant charge, or a reasonable charge to cover all costs of operating his own receiving plant, plus transportation cost to the point of delivery to the purchaser.

(16) "Store" means any mercantile establishment that sells, at retail, milk, cottage cheese or frozen dairy products.

(17) "Cost to the store" means the invoice price paid by the retailer plus the retailer's cost of doing business, as evidenced by the standards and methods of accounting regularly employed by such store, including, but not limited to, all costs incurred in the conduct of said store such as labor, including salaries of executives and officers; rent; interest on borrowed capital; depreciation; power; supplies; credit losses; all overhead expenses; and all types of licenses; taxes; insurance and advertising.

(18) "Milk" means fluid milk, sweet cream, sour cream, skim milk, flavored milk, buttermilk, and condensed or concentrated whole or skim milk for use in fluid milk products.

(19) "Cottage cheese" means the soft uncured cheese prepared from the curd obtained by adding bacteria, with or without enzymatic action, to skim milk or reconstituted skim milk, prepared with or without mixture of cream or milk or skim milk.

(20) "Frozen dairy products" means ice cream, ice cream mix, and any frozen substance, mixture or compound, regardless of the name under which it is represented, which is made in imitation or semblance of ice cream or sherbet, when prepared or manufactured for commercial purposes.

(21) "Books and records" means all pertinent books, ledgers, journals, records, papers, memoranda, correspondence, vouchers, bills, receipts, canceled checks, accounts, exhibits, photographs and other documents.

(22) "Dock price" means the total price of the product charged at the point where it is transferred to any milk dealer, handler, or distributor; the dock is considered to be located at the point where the transfer takes place.

(23) "Full store delivery" shall include, but is not limited to: securing the order, putting up the order, placing order in refrigeration case and storage cooler, removing outdated merchandise, price marking merchandise, making out a bill, and collecting payment.

(24) "Drop delivery" means the product shall be placed on the dock or other designated place in the store, excluding the dairy case. Further requirements to qualify for drop delivery are as follows:

(a) Products to be delivered on a prearranged schedule.

(b) A delivery charge based upon cost shall be made for all special deliveries and no drop delivery discount shall be given on special deliveries.

(c) No returns shall be made except for faulty merchandise due to processor or distributor error.

(25) "Special price" means a price lower than the regular prevailing price of a processor, distributor, dealer or handler for a specified period of time not less than cost as defined herein.

(26) "Other delivery price" means the total price of the product charged pursuant to a delivery other than a dock, full store delivery, or drop delivery as defined herein.

(27) "Discrimination in price" means advertising, offering to sell or selling milk, cottage cheese or frozen dairy products at a lower price without legal justification in accordance with these regulations in one (1) town, city, municipality, county, section or community, or portions thereof or locations, stores or persons therein than in another, after making allowance for difference, if any, in the grade or quality, and in actual cost of transportation to point of delivery.

(28) "Volume discount" means that reduction of price offered by a processor, dealer or handler to any consumer, milk dealer or handler, which is based solely upon the volume and quantity of the product sold.

(29) "Delivery discount" means that reduction of price offered by a processor, dealer or handler to any consumer, dealer or handler, which is based solely upon the type of delivery of the product sold.

(30) "Other discount" means any reduction of price offered by a processor, dealer or handler to any consumer, dealer or handler which discount is based upon factors other than volume or delivery arrangement.

(31) "Regular brand label" means that label signifying that company name, trademark or trade name of any processor or distributor.

(32) "Private label" means that label designed for a particular retail outlet or a group of affiliate outlets.

(33) "Other Label" means any second label of a processor or distributor other than a regular brand or private label.

(34) "Broker" means any person engaged in negotiating sales or purchases of selected dairy products for or on behalf of a retailer or wholesaler or both.

(35) "Meeting competition" means an endeavor made in good faith to meet legal prices of a competitor selling dairy products of the identical grade, quality and quantity at the exact same time in the same locality or trade area.

(36) "Marketing area" means any town, city, county, section or community, or portions thereof or locations, stores or persons therein, which is competitively affected by any modification, alteration or change in the price of milk, cottage cheese or frozen dairy products.

WENDELL P. BUTLER
Commissioner of Agriculture

ADOPTED: March 11, 1975

APPROVED:

DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 11, 1975 at 2:42 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 25:015)

RELATES TO: KRS 260.675 to 260.760

PURSUANT TO: KRS 260.715, 13.082

SUPERSEDES: Agr: MMC 9

NECESSITY AND FUNCTION: KRS 260.705 sets forth prohibited marketing practices in the sale of milk, cottage cheese and frozen dairy products. This regulation more clearly defines those practices prohibited by KRS 260.705.

Section 1. No processor, distributor, bulk milk handler, store or producer-handler, either directly or indirectly, or through a subsidiary or affiliate corporation, or by any officer, director, stockholder, employee, partner, agent or representative thereof shall:

(1) Advertise for sale milk, cottage cheese or frozen dairy products at less than cost thereof to such vendor or give away any milk, cottage cheese or frozen dairy products.

(2) Discriminate in price in the sale of any milk, cottage cheese or frozen dairy products between different towns, cities, municipalities, counties, sections or communities, or portions thereof or locations, stores or persons therein, in this state, by advertising, offering to sell or selling milk, cottage cheese or frozen dairy products at a lower price in one (1) town, city municipality, county, section or community, or portions thereof or locations therein than in another, after making allowance for difference, if any, in the grade, quality, and quantity, and in the actual cost of transportation to point of delivery.

(3) Give, or offer to give, or allow any secret rebate, unearned discount, free service or services, financial aid, free equipment or any other thing of value to any purchaser or consignee in connection with the sale or consignment of milk, cottage cheese, or frozen dairy products.

(4) The provisions of subsections (1), (2), and (3) shall not apply to advertisements or offers to sell or sales made:

(a) In closing out in good faith the owner's stock or any part thereof for the purpose of discontinuing his trade or business if notice is given to the public thereof.

(b) When the milk, cottage cheese, or frozen dairy products is damaged or deteriorated in quality and notice is given to the public thereof.

(c) By an officer acting under the orders of any court.

(d) In an endeavor made in good faith to meet the legal prices of a competitor selling the same article in the same locality or trade area.

Section 2. No processor, distributor, bulk milk handler, or producer-handler shall furnish, give, lend, sell or rent to any store any advertising material of any form except matter advertising the products of such distributor, processor, bulk milk handler, or producer-handler, and provided that if such advertising is furnished, given, loaned, sold, or rented, not more than one-third (1/3) of such space or cost of such advertising matter shall be used to identify the store.

Section 3. Any person mentioned in Sections 1 and 2 found

violating any provision of this regulation shall be subject to the penalty provided in KRS 260.991.

WENDELL P. BUTLER, Commissioner of Agriculture

ADOPTED: March 11, 1975

APPROVED:

DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 11, 1975 at 2:42 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 25:025)

RELATES TO: KRS 260.675 to 260.760

PURSUANT TO: KRS 260.715, 13.082

SUPERSEDES: Agr: MMC 10

NECESSITY AND FUNCTION: This regulation serves to promote fair competition in the sales of milk, cottage cheese and frozen dairy products by prohibiting the selling, furnishing, giving, lending, or renting of equipment as well as prohibiting equipment repair or service by those engaged in the sale of milk, cottage cheese or frozen dairy products.

Section 1. No processor, distributor, bulk milk handler, or producer-handler, either directly or indirectly, or through a subsidiary or affiliate corporation, or by any officer, director, stockholder, employee, partner, agent, or representative thereof, shall sell, furnish, give, lend or rent any equipment to any purchaser or consignee in connection with the sale or consignment of milk, cottage cheese or frozen dairy products; nor shall any equipment repair or service be provided by anyone hereinabove stated.

Section 2. Any person mentioned in the above section found violating this regulation shall be subject to the penalty provided for in KRS 260.991.

WENDELL P. BUTLER, Commissioner of Agriculture

ADOPTED: March 11, 1975

APPROVED:

DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 11, 1975 at 2:43 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 25:035)

RELATES TO: KRS 260.675 to 260.760

PURSUANT TO: KRS 260.715, 13.082

SUPERSEDES: Agr: MMC 11

NECESSITY AND FUNCTION: This regulation is designed to set forth with clarity the types of discounts allowed by KRS 260.705 and qualifications for said discounts.

Section 1. Volume discounts. A processor, distributor, dealer or handler may offer to all its purchasers or consignees a discount based solely upon the volume or quantity of the type of dairy product sold and said discount is based in full on cost savings, and said discounts shall be filed with, and approved by the commission.

Section 2. Drop delivery discounts. A processor, distributor, dealer or handler may offer to all its purchasers or consignees a discount based solely upon a drop delivery, as defined in 302 KAR 25:005, and said discount does not exceed three (3) percent, except:

(1) A greater discount may be granted, provided that said processor, distributor, dealer or handler proves before the commission that said discounts are based in full on cost savings.

(2) The burden of proof under subsection (1) of this section shall be upon the processor, distributor, dealer or handler and said proof shall constitute duly verified and authenticated time and motion studies and other documented and reasonably supportive data as may be required by the commission.

Section 3. Other discounts. No processor, distributor, dealer or handler, either directly or indirectly, or through a subsidiary or affiliate corporation shall give or offer to give in connection with the sale of milk, cottage cheese or frozen dairy products any central billing, advertising, service, private label, delivery or any other type of discount or rebate, except:

(1) Said discounts may be granted, provided that said processor, distributor, dealer or handler proves before the commission that said discounts are based in full on cost savings.

(2) The burden of proof under subsection (1) of this section shall be upon the processor, distributor, dealer or handler and said proof shall constitute duly verified and authenticated time and motion studies and other documented and reasonably supportive data as may be required by the commission.

Section 4. Any person mentioned in Sections 1, 2, and 3 above found violating this regulation shall be subject to the penalty provided for in KRS 260.991.

WENDELL P. BUTLER, Commissioner of Agriculture
 ADOPTED: March 11, 1975
 APPROVED: DEE ASHLEY AKERS, Secretary
 RECEIVED BY LRC: April 11, 1975 at 2:43 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
 Department of Agriculture
 (302 KAR 25:045)

RELATES TO: KRS 260.675 to 260.760
 PURSUANT TO: KRS 260.715, 13.082
 SUPERSEDES: Agr: MMC 12

NECESSITY AND FUNCTION: This regulation is designed to set forth with clarity prohibited practices relative to bonus stamps, coupons, redeemable certificates and any other thing of value with the sale of milk, cottage cheese or frozen dairy products.

Section 1. No processor, distributor, dealer, handler, producer-handler or store, either directly or indirectly, or through a subsidiary or affiliate corporation, or by any officer, director, stockholder, employee, partner, agent or representative thereof shall:

(1) Attach to or print on any bottle, jug, carton or package of fluid milk, cottage cheese or frozen dairy products a stamp, coupon or label of any redeemable value.

(2) Give or advertise to give any stamps, bonus stamps, coupons, or redeemable certificates with the sale of fluid milk, cottage cheese or frozen dairy products where such stamps, bonus stamps, coupons, or redeemable certificates are given or advertised to be given away with specific relation to said sale or connected therewith specifically. The giving of trading stamps, based on total over-the-counter dollar or portion of dollar sales, is not prohibited even in such instances where the trading stamps are given as the result of the accumulated value of the sale including fluid milk, cottage cheese and frozen dairy products.

Section 2. Any person mentioned in Section 1 found violating this regulation shall be subject to the penalty provided for in KRS 260.991.

WENDELL P. BUTLER, Commissioner of Agriculture
 ADOPTED: March 11, 1975
 APPROVED: DEE ASHLEY AKERS, Secretary
 RECEIVED BY LRC: April 11, 1975 at 2:43 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
 Department of Agriculture
 (302 KAR 25:055)

RELATES TO: KRS 260.675 to 260.760
 PURSUANT TO: KRS 260.715, 13.082
 SUPERSEDES: Agr: MMC 13

NECESSITY AND FUNCTION: This regulation is designed to set forth with clarity the requirements for granting special prices by processors, distributors, dealers or handlers on milk, cottage cheese, or frozen dairy products.

Section 1. No processor, distributor, dealer or handler, either directly or indirectly, or through a subsidiary or affiliate corporation may offer a special price, as defined in 302 KAR 25:005, except:

(1) To already acquired purchasers or consignees; and

(2) To all of its purchasers or consignees in the marketing area at the same price and only for a reasonably limited period of time; and

(3) All special prices shall be filed at least twenty (20) calendar days prior to placing them into effect; and

(4) All special prices meeting the requirements of subsections (1), (2), and (3) above shall first be approved by the commission as not violating any of the provisions of KRS

260.675 to 260.760.

Section 2. Any person mentioned in Section 1 found violating this regulation shall be subject to the penalty provided in KRS 260.991.

WENDELL P. BUTLER, Commissioner of Agriculture
 ADOPTED: March 11, 1975
 APPROVED: DEE ASHLEY AKERS, Secretary
 RECEIVED BY LRC: April 11, 1975 at 2:44 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
 Department of Agriculture
 (302 KAR 25:065)

RELATES TO: KRS 260.675 to 260.760

PURSUANT TO: KRS 260.715, 13.082

SUPERSEDES: Agr: MMC 14

NECESSITY AND FUNCTION: KRS 260.725 describes the power of the commission with respect to governmental agencies. This regulation defines distinctly those exemptions from KRS 260.675 to 260.760 granted to governmental agencies.

Section 1. No processor, distributor, dealer or handler, either directly or indirectly, or through a subsidiary or affiliate corporation shall sell or offer to sell any milk, cottage cheese, or frozen dairy products to the United States, the Commonwealth, or any agency, department, division, or institution of either, or to any public institution supported in whole or in part by public funds below the cost of the processor, distributor, dealer or handler, as defined in 302 KAR 25:005.

Section 2. Governmental bodies and public institutions are expressly exempt from all other provisions of KRS 260.675 to 260.760 except as provided in Section 1.

Section 3. Any person mentioned in Sections 1 and 2 found violating this regulation shall be subject to the penalty provided in KRS 260.991.

WENDELL P. BUTLER, Commissioner of Agriculture
 ADOPTED: March 11, 1975
 APPROVED: DEE ASHLEY AKERS, Secretary
 RECEIVED BY LRC: April 11, 1975 at 2:44 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
 Department of Agriculture
 (302 KAR 25:075)

RELATES TO: KRS 260.675 to 260.760
 PURSUANT TO: KRS 260.715, 13.082
 SUPERSEDES: Agr: MMC 15

NECESSITY AND FUNCTION: KRS 260.710 provides for filing of price schedules. This regulation sets forth with clarity who shall file and in what manner filings shall be submitted to the commission.

Section 1. (1) All prices, as defined by the regulations for milk, cottage cheese, and frozen dairy products, except retail store prices, shall be filed with the Milk Marketing and Antimonopoly Commission by processors, distributors, brokers, and other milk dealers and handlers doing business in the Commonwealth of Kentucky and said prices shall be filed on the forms prescribed by the commission.

(2) All price filing schedules shall be typed.

Section 2. Prices shall be filed with the commission at least twenty (20) calendar days prior to their effective date. If said filing indicates a price increase or is the result of meeting a lawful competition, then said filing may become effective immediately.

Section 3. Prices filed to meet competition shall state the name and address of the competitor, with a brief description of the competitive situation and location being met.

Section 4. Prices shall be filed with the commission at least once a year on June 1 of each year, except when a filing has been made within the past six (6) months.

Section 5. Promptly upon the filing of schedules required under this regulation, the commission shall make a review of the price schedules for compliance with the milk marketing law, and shall promptly notify the milk dealer or handler of any violation believed to be contained in the schedules filed.

Section 6. The notification, or failure to notify the dealer or handler, shall not be evidence of violation or lack of violation.

Section 7. Any person mentioned in Sections 1 to 6 found violating this regulation shall be subject to the penalty provided in KRS 260.991.

WENDELL P. BUTLER, Commissioner of Agriculture
 ADOPTED: March 11, 1975
 APPROVED: DEE ASHLEY AKERS, Secretary
 RECEIVED BY LRC: April 11, 1975 at 2:44 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 25:085)

RELATES TO: KRS 260.765 to 260.760

PURSUANT TO: KRS 260.715, 13.082

SUPERSEDES: Agr: MMC 16

NECESSITY AND FUNCTION: KRS 260.680 defines terms to be used in KRS 260.675 to 260.760, unless otherwise required by context. This regulation is designed to specifically define the retailer.

Section 1. "Retailer" means every person or store making any sale of milk, cottage cheese or frozen dairy products at retail within this state, provided that in the case of a processor or store making both sales at retail and sales at wholesale such term shall apply only to the retail portion of such sales.

Section 2. "Sell at retail" and "retail sales" shall include any transfer of milk, cottage cheese or frozen dairy products for valuable consideration to a purchaser for consumption or use other than resale or further processing, manufacturing or handling.

Section 3. All retailers must be duly licensed by the commission and said license shall be renewed annually on or before January 1 of each year.

Section 4. Retailers shall not engage in any of the prohibited marketing practices as defined by KRS 260.675 to 260.760, or any of the regulations of the commission, and said retailer shall not encourage, aid or abet any processor, distributor or handler to engage in any prohibited marketing practices, and said retailer shall not receive any secret rebate, unearned discount, free service or services, financial aid, free equipment or any other thing of value in connection with the purchase or consignment of milk, cottage cheese or frozen dairy products.

Section 5. Retailers that engage in the processing of milk, cottage cheese and frozen dairy products shall file their retail prices only with the commission in accordance with 302 KAR 25:075.

Section 6. Any person mentioned in Sections 1 to 5 found violating this regulation shall be subject to the penalty provided in KRS 260.991.

WENDELL P. BUTLER, Commissioner of Agriculture
ADOPTED: March 11, 1975

APPROVED: DEE ASHLEY AKERS, Secretary
RECEIVED BY LRC: April 11, 1975 at 2:45 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 25:095)

RELATES TO: KRS 260.675 to 260.760

PURSUANT TO: KRS 260.715, 13.082

SUPERSEDES: Agr: MMC 17

NECESSITY AND FUNCTION: KRS 260.715 and KRS 260.991 provide for procedure and penalties under which the commission is to operate. This regulation sets forth with clarity the procedure under which the commission is to operate and the penalties that can be imposed by the commission for law violations.

Section 1. Upon receipt of a complaint filed with the commission by any milk dealer, handler, producer-handler, or recognized association thereof, or upon the filing of a complaint by the executive secretary of the commission, the commission may initiate proceedings for the purpose of hearing and investigating evidence of the failure or refusal of any person to comply with the provisions of KRS 260.675 to 260.760, or the rules, regulations, and orders of the commission issued thereunder.

Section 2. The commission shall give notice by certified mail to the alleged violator at least five (5) days in advance of the hearing, and the said notice shall fix the date and the time of the hearing and state with clarity the nature of the charge or charges and the matters complained of.

Section 3. During the course of an investigation or hearing, the commission shall not be bound by technical rules of evidence, except as may be required by administrative procedure laws of the state and the commission shall have the power to issue subpoenas requiring attendance and testimony of witnesses or the production of books and records.

Section 4. After such hearing and after reaching a decision, the commission shall notify the licensee as to the decision by certified mail within ten (10) days of the decision.

Section 5. The commission may refuse to grant a license, or may suspend or revoke a license for the following causes:

(1) Failure to account and make payment for any milk pur-

chased or received from a producer, milk dealer or cooperative that is marketing the milk of its member producers, provided, however, that if it be shown that there was reasonable cause for any such failure to account and make payment, and that such accounting and payment can and will be made promptly, the commission shall not suspend or revoke a license solely for such conduct until a reasonable opportunity has been afforded the licensee to make account and payment.

(2) Doing any act injurious to public health or welfare, or doing any act injurious to trade or commerce by disruption of the orderly marketing of milk, cottage cheese, or frozen dairy products to such an extent as to interfere with the ample supply thereof for the inhabitants of the Commonwealth. Such act shall include any course of conduct on the part of the milk dealer or handler in violation of the terms of KRS 260.675 to 260.760 or any valid rules, regulations, and orders of the commission.

(3) Making a general assignment for the benefit of creditors, or being adjudged a bankrupt.

(4) Participating in practices of selling or otherwise disposing of milk at prices which create a condition of emergency by disrupting and undermining orderly marketing practices or by imperiling the ability of milk dealers or handlers to make full and prompt payment for such milk.

(5) Failure to keep books and records or to furnish accurately the reports, statements, or other information required by the commission.

(6) Having made any statement upon which a license was issued which is found to have been false or misleading in any particular.

(7) Violation of any of the provisions of KRS 260.675 to 260.760, or the rules, regulations, or orders of the commission.

(8) Failing to pay any judgment rendered as a result of any violation of the provisions of KRS 260.675 to 260.760, or the rules and regulations promulgated by the commission.

(9) Refusal without reasonable cause to receive milk from a producer because it was not transported to the milk dealer or handler by a hauler of the dealer's or handler's choosing, providing that such producer or hauler has adequate facilities and equipment for hauling and is delivering or is ready, able, and willing to deliver milk to the plant of such dealer or handler in proper condition and at the time necessary to coincide with the current schedule of plant operations of the dealer or handler.

(10) Any conduct constituting a misrepresentation of fraud on the public.

Section 6. The burden of proving reasonable cause under any provision of this section shall be upon the milk dealer or handler. The issuance or renewal by the commission of a license hereunder shall not preclude the commission from suspending or revoking such license for a violation committed by the licensee prior to the current license period.

Section 7. Whenever in the judgment of the commission any person who holds a license or is subject to licensing under KRS 260.675 to 260.760 has engaged in or is about to engage in any acts or practices that constitute a violation of KRS 260.675 to 260.760 or of any rules promulgated by the commission, the commission may make application to the court for an order enjoining such act or acts or practices. Injunctions, KRS 454.060 to 454.085.

Section 8. Any person mentioned in Sections 1 to 7 found violating this regulation shall be subject to the penalty provided in KRS 260.991.

WENDELL P. BUTLER, Commissioner of Agriculture
ADOPTED: March 11, 1975

APPROVED: DEE ASHLEY AKERS, Secretary
RECEIVED BY LRC: April 11, 1975 at 2:45 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 35:010)

RELATES TO: KRS 251.420 to 251.510

PURSUANT TO: KRS 251.430, 13.082

SUPERSEDES: KDA-M-1-1

NECESSITY AND FUNCTION: Clarifies where to apply for a grain storage license, and who should apply. Also, explains stored grain, in more detail. Commodity Credit Corporation grain is not covered as an obligation against the bonding requirement.

Section 1. Any person, firm or corporation who shall accept grain for storage in this state for a fee shall first file an application for a grain storage license with the Division of Markets, Kentucky Department of Agriculture. The application shall be accompanied by a license fee of twenty-five dollars (\$25) and shall be made on Form GS-1 which will be furnished by the department. All grain at date of delivery which is marked open storage, grain bank, future settlement, delayed payment, or delayed pricing is considered stored grain. Any establishment that has unpaid for grain thirty (30) days after last delivery by a customer during a harvest season shall be considered in the grain storage business. All grain at date

of delivery marked cash is considered warehouseman grain if paid for within thirty (30) days after delivery of last load. If not paid for after thirty (30) days it is considered stored grain.

Section 2. The application must be accompanied by a bond in an amount as set forth in KRS 251.450. All grain receipted or owned through Commodity Credit Corporation shall be considered stored grain to the extent that it is a warehouseman's obligation, but is not considered stored grain against the amount of bond required under KRS 251.450.

Section 3. Application for the license must also be accompanied by a certified copy of insurance policy stating that all grain to be stored is insured at its current market value against loss by fire, inherent explosion or windstorm. All licenses shall expire on June 30th and be renewed annually.

WENDELL P. BUTLER, Commissioner of Agriculture

ADOPTED: March 17, 1975

APPROVED:

DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:28 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 35:020)

RELATES TO: KRS 251.420 to 251.510

PURSUANT TO: KRS 251.440, 13.082

SUPERSEDES: KDA-M-2

NECESSITY AND FUNCTION: To specify that a grain storage license is required for each location, if operated as a separate business establishment.

Section 1. A person, firm, or corporation operating at more than one (1) location must have a license for each location if operated as separate business establishments. The license shall be posted in a conspicuous place in the office or appropriate section of the business establishment.

WENDELL P. BUTLER, Commissioner of Agriculture

ADOPTED: March 17, 1975

APPROVED:

DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:29 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 35:030)

RELATES TO: KRS 251.420 to 251.510

PURSUANT TO: KRS 251.480, 13.082

SUPERSEDES: KDA-M-3-1

NECESSITY AND FUNCTION: To make the records available to the department for inspection purposes.

Section 1. Each licensee shall keep in a safe place complete and correct records of the storage and withdrawal of all grain handled in each grain storage establishment. Complete records of all original and duplicate receipts or scale tickets issued by him, returned to him, and cancelled by him, shall be available for inspection by the department. All records shall be available for inspection by the department at all times.

WENDELL P. BUTLER, Commissioner of Agriculture

ADOPTED: March 17, 1975

APPROVED:

DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:29 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 35:040)

RELATES TO: KRS 251.420 to 251.510

PURSUANT TO: KRS 251.490, 13.082

SUPERSEDES: KDA-M-4-1

NECESSITY AND FUNCTION: To clarify the inspection procedure and to make an allowance for a facility short on space to store grain at another facility.

Section 1. The department shall inspect the licensed elevator twice each year for the purpose of auditing the records, determining the amount of grain in storage, inspecting the condition of the grain in storage, and the condition of the storage facilities. The person, firm, or corporation must have a representative present at all times when said inspection is being made.

Section 2. (1) The licensee should have enough grain in storage to meet all obligations for unpaid grain left thirty (30) days after the last load delivered during that harvest season. To meet inspection requirements, the department may allow the licensee to substitute one kind of grain for another on a dollar per dollar basis.

(2) A licensee that is short of facilities may store at another establishment provided that establishment is also licensed. A licensee that is short of facilities or grain may:

- (a) Give additional bond on 100 percent value of grain.
- (b) Deposit the dollar value of grain in a special account made jointly to the State Board of Agriculture and the licensee. This money can only be released to buy the grain from the producers or replace the grain for the producers. All interest drawn on this account is payable to the licensee.

WENDELL P. BUTLER
Commissioner of Agriculture

ADOPTED: March 17, 1975

APPROVED:

DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:30 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Agriculture
(302 KAR 35:050)

RELATES TO: KRS 251.420 to 251.510

PURSUANT TO: KRS 251.490, 13.082

SUPERSEDES: KDA-M-5

NECESSITY AND FUNCTION: To make provisions for a licensee to make up his inventory shortage.

Section 1. Whenever an inspection determining that a licensee does not have in his possession sufficient grain, or account for the grain in other approved ways, the licensee will be notified to:

- (1) Cover such shortage by cash or grain.
- (2) Furnish a bond to cover full value of grain that is short.
- (3) Submit to further investigation to determine if licensee is solvent or insolvent. If such licensee fails to comply within twenty-four (24) hours from date of issuance of notice or within such further times as may be allowed, the chairman of the State Board of Agriculture or his designate may petition the county court where the licensee's place of business is located authorizing the seizure and possession of the establishment, of all grain, and all pertinent records. After seizure and further investigation, if there is evidence that the licensee is insolvent and is unable to satisfy the claims of all depositors, the chairman of the State Board of Agriculture or his designate may petition the courts to appoint a receiver to liquidate the business in accordance with the law.

WENDELL P. BUTLER
Commissioner of Agriculture

ADOPTED: March 17, 1975

APPROVED:

DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:30 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Agriculture, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Kentucky State Fair Board
(303 KAR 1:003)

RELATES TO: KRS 247.145

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To regulate the manner of operation of vehicles within the Kentucky Fair and Exposition Center grounds.

Section 1. The operator of any vehicle within the Kentucky Fair and Exposition Center grounds shall operate the vehicle in a careful manner, with regard for the safety and convenience of pedestrians, other vehicles, and property within the Kentucky Fair and Exposition Center grounds.

WYNDALL SMITH, President

ADOPTED: March 20, 1975

APPROVED:

DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 15, 1975 at 3:40 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Don L. Johnston, Executive Director, Kentucky Fair and Exposition Center, P. O. Box 21179, Louisville, Kentucky 40221.

DEVELOPMENT CABINET
Kentucky State Fair Board
(303 KAR 1:025)

RELATES TO: KRS 247.145

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To regulate harassment, coercion, annoyance or intimidation of another person on Kentucky State Fair Board property.

Section 1. No person while on the Kentucky State Fair Grounds or at the Exhibition Center shall harass, coerce, annoy or intimidate another person attempting to attend or perform his duties in conjunction with an event on State Fair Board property. No person shall assume control or attempt to assume control over any equipment or property of another or in any manner prevent or attempt to prevent authorized persons from erecting, operating, dismantling or otherwise working on equipment or property of another on State Fair Board property.

WYNDALL SMITH, President

ADOPTED: February 20, 1975

APPROVED: DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 15, 1975 at 3:40 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Don L. Johnston, Executive Director, Kentucky Fair and Exposition Center, P. O. Box 21179, Louisville, Kentucky 40221.

DEVELOPMENT CABINET
Kentucky State Fair Board
(303 KAR 1:080)

RELATES TO: KRS 247.145

PURSUANT TO: KRS 13.082

SUPERSEDES: KPEC-9-1

NECESSITY AND FUNCTION: To regulate dissemination of material and demonstrations on the Kentucky Fair and Exposition Center grounds.

Section 1. (1) The peaceful noncommercial distribution of leaflets, the setting up of tables and the peaceful holding of discussions with patrons of the Kentucky Fair and Exposition Center to aid in that distribution, and the peaceful carrying of placards shall be permitted in the following manner at the locations of the main entrance to the Coliseum and inside the Coliseum building designated on a diagram of the Kentucky Fair and Exposition Center, a copy of which is filed herein by reference. Copies may be obtained from the Kentucky State Fair Board, P. O. Box 21179, Louisville, Kentucky 40221.

(a) Main Entrance to the Coliseum:

1. Area A: Two (2) persons shall be permitted to peacefully distribute leaflets and/or carry placards and/or hold discussions with patrons of the Kentucky Fair and Exposition Center. No table shall be permitted in this area.
2. Area B: Two (2) persons shall be permitted to peacefully distribute leaflets and/or carry placards and/or hold discussions with patrons of the Kentucky Fair and Exposition Center. No table shall be permitted in this area.
3. Area C: Two (2) persons shall be permitted to peacefully distribute leaflets and/or carry placards and/or hold discussions with patrons of the Kentucky Fair and Exposition Center. Additionally, these persons may set up one (1) table at this location to aid in such distribution.
4. Area D: Two (2) persons shall be permitted to peacefully distribute leaflets and/or carry placards and/or hold discussions with patrons of the Kentucky Fair and Exposition Center. Additionally, these persons may set up one (1) table at this location to aid in such distribution.

(b) Inside the Coliseum Building:

1. Area E: One (1) person shall be permitted to distribute leaflets and hold discussions with patrons. No placards shall be permitted nor shall a table be permitted in this area. This area shall be unavailable when control gates for admission charges and/or registration for an event are set up at the main entrance to the Coliseum.
2. Area F: One (1) person shall be permitted to distribute leaflets and hold discussions with patrons. No placards shall be permitted nor shall a table be permitted in this area. This area shall be unavailable when control gates for admission charges and/or registration for an event are set up at the main entrance to the Coliseum.

(2) Any person or group who wishes to conduct any of the above activities at the locations specified shall apply to the Executive Director of the Kentucky Fair and Exposition Center on forms provided by him for this purpose. Application shall be made not less than seventy-two (72) hours nor more than two (2) weeks before commencement of the activities. The application shall set forth the type of activities to be conducted, the time, location and duration of the activities, and the name, address and telephone number of the person making the application. In case of a group, it shall be sufficient to supply the name, address and telephone number of one (1) person who can be contacted if problems arise concerning the grant of the application.

(a) A deposit of five dollars (\$5) cash or money order

shall be submitted with the application, and shall be returned to the applicant within twenty-four (24) hours after the termination of the activities if there has been no extra clean-up time required by the Kentucky Fair and Exposition Center staff as a result of the litter created by the aforesaid activities.

- (b) The Executive Director shall grant all such applications on a first come, first served basis so long as the number of persons, the activities and the time, duration and location applied for are in compliance with the provisions set forth in subsection (2), paragraph (a).
- (c) The grant of the application by the Executive Director shall be in the form of a permit which shall set forth the number of persons covered by the permit, the activities which are permitted, the permitted time and duration of those activities, and the location at which the activities may be conducted.
- (d) The duration of each permit issued shall not be in excess of two (2) days. Any person or group may renew a permit for successive two (2) day periods. Renewal applications shall be made on the same form as new applications and shall be processed as if they were new applications.

(3) No signs, leaflets, placards or other material shall be affixed to the building facilities. No leaflets or other material shall be distributed by leaving them unattached throughout the Kentucky Fair and Exposition Center.

(4) No voice amplification equipment of any kind shall be used by any person or group to aid in the conducting of any of the above activities.

(5) No signs, leaflets, placards or other material distributed shall contain any obscene, subversive, salacious, or libelous material.

(6) The Executive Director may suspend any permit already granted in the event of violence caused by the applicant or his agents or associates, or in the event of any emergency which renders the traffic flow in any of the areas covered by the permit such that conduct of the activities would create a dangerous condition or substantially interfere with traffic at the Kentucky Fair and Exposition Center or in the event of the failure of the applicant or any of his agents or associates to comply with any of the provisions set forth in this regulation.

WYNDALL SMITH, President

ADOPTED: February 20, 1975

APPROVED: DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 15, 1975 at 3:39 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Don L. Johnston, Executive Director, Kentucky Fair and Exposition Center, P. O. Box 21179, Louisville, Kentucky 40221.

DEVELOPMENT CABINET
Kentucky State Fair Board
(303 KAR 1:090)

RELATES TO: KRS 247.145

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To regulate dissemination of material and demonstrations at the Exhibition Center.

Section 1. (1) The peaceful noncommercial distribution of leaflets, the setting up of tables and the peaceful holding of discussions with patrons of the Exhibition Center to aid in this distribution, and the peaceful carrying of placards shall be permitted in the following manner at the locations of the main entrances to the Lobby at the corners of Jefferson and Fourth, Market and Fourth and the entrance on Fourth, and inside the Lobby designated on a diagram of the Exhibition Center, a copy of which is herein filed by reference. Copies may be obtained from the Kentucky State Fair Board, P. O. Box 21179, Louisville, Kentucky 40221.

(a) Main Entrance to the Lobby:

1. Area A: Two (2) persons shall be permitted to peacefully distribute leaflets and/or carry placards and/or hold discussions with patrons of the Exhibition Center. No table shall be permitted in this area.
2. Area B: Two (2) persons shall be permitted to peacefully distribute leaflets and/or carry placards and/or hold discussions with patrons of the Exhibition Center. No table shall be permitted in this area.
3. Area C: Two (2) persons shall be permitted to peacefully distribute leaflets and/or carry placards and/or hold discussions with patrons of the Exhibition Center. Additionally, these persons may set up one (1) table at this location to aid in such distribution.
4. Area D: Two (2) persons shall be permitted to peacefully distribute leaflets and/or carry placards and/or hold discussions with patrons of the Exhibition Center. Additionally, these persons may set up one (1) table at this location to aid in such distribution.

(b) Inside the Lobby:

1. Area E: One (1) person shall be permitted to distribute leaflets and hold discussions with patrons. No placards shall be permitted nor shall a table be

permitted in this area. This area shall be unavailable when control gates for admission charges and/or registration for an event are set up in the lobby.

2. Area F: One (1) person shall be permitted to distribute leaflets and hold discussions with patrons. No placards shall be permitted nor shall a table be permitted in this area. This area shall be unavailable when control gates for admission charges and/or registration for an event are set up in the lobby.

(2) Any person or group who wishes to conduct any of the above activities at the locations specified shall apply to the Manager of the Exhibition Center on forms provided by him for this purpose. Application shall be made not less than seventy-two (72) hours nor more than two (2) weeks before commencement of the activities. The application shall set forth the type of activities to be conducted, the time, location and duration of the activities, and the name, address and telephone number of the person making the application. In case of a group, it shall be sufficient to supply the name, address and telephone number of one (1) person who can be contacted if problems arise concerning the grant of the application.

- (a) A deposit of five dollars (\$5) cash or money order shall be submitted with the application, and shall be returned to the applicant within twenty-four (24) hours after the termination of the activities if there has been no extra clean-up time required by the Exhibition Center staff as a result of the litter created by the aforesaid activities.

- (b) The manager shall grant all such applications on a first come, first served basis so long as the number of persons, the activities and the time, duration and location applied for are in compliance with the provisions set forth in subsection (2), paragraph (a).

- (c) The grant of the application by the manager shall be in the form of a permit which shall set forth the number of persons covered by the permit, the activities which are permitted, the permitted time and duration of those activities, and the location at which the activities may be conducted.

- (d) The duration of each permit issued shall not be in excess of two (2) days. Any person or group may renew a permit for successive two (2) day periods. Renewal applications shall be made on the same form as new applications and shall be processed as if they were new applications.

(3) No signs, leaflets, placards or other material shall be affixed to the building facilities. No leaflets or other material shall be distributed by leaving them unattached throughout the Exhibition Center.

(4) No voice amplification equipment of any kind shall be used by any person or group to aid in the conducting of any of the above activities.

(5) No signs, leaflets, placards or other material distributed shall contain any obscene, subversive, salacious or libelous material.

(6) The manager may suspend any permit already granted in the event of violence caused by the applicant or his agents or associates, or in the event of any emergency which renders the traffic flow in any of the areas covered by the permit such that conduct of the activities would create a dangerous condition or substantially interfere with traffic at the Exhibition Center or in the event of the failure of the applicant or any of his agents or associates to comply with any of the provisions set forth in this regulation.

WYNDALL SMITH, President

ADOPTED: February 20, 1975

APPROVED: DEE ASHLEY AKERS, Secretary

RECEIVED BY LRC: April 15, 1975 at 3:39 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Don L. Johnston, Executive Director, Kentucky Fair and Exposition Center, P. O. Box 21179, Louisville, Kentucky 40221.

DEPARTMENT OF JUSTICE
Kentucky Crime Commission
(500 KAR 5:005)

RELATES TO: KRS 15A.040

PURSUANT TO: KRS 15A.140, 15A.160

SUPERSEDES: KCC-1

NECESSITY AND FUNCTION: KRS 15A.140 and 15A.160 provide that the Secretary of the Department of Justice may adopt such regulations consistent with the provisions of 1974 Acts Chapter 74. KRS 15A.040 vests supervisory authority of federal and state grant programs with the Kentucky Crime Commission. This regulation establishes meeting dates for the Kentucky Crime Commission.

Section 1. The Kentucky Crime Commission shall conduct at least six (6) regular meetings each year to be held on the second Thursday and Friday of each odd numbered month at such time and place designated by the chairman.

Section 2. Special meetings of the Kentucky Crime Commission may be conducted on call of the Secretary of the Department of Justice.

Section 3. Special meetings of committees of the Kentucky Crime Commission may be conducted on call of the committee chairman or by a majority of the membership of the committee.

HENRI L. MANGEOT, Secretary

ADOPTED: April 11, 1975

RECEIVED BY LRC: April 14, 1975 at 3:19 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Kentucky Crime Commission
(500 KAR 5:015)

RELATES TO: KRS 15A.040

PURSUANT TO: KRS 15A.140, 15A.160

SUPERSEDES: KCC-2

NECESSITY AND FUNCTION: KRS 15A.140 and 15A.160 provide that the Secretary of the Department of Justice may adopt such regulations consistent with the provisions of 1974 Acts Chapter 74. KRS 15A.040 vests supervisory authority of federal and state grant programs with the Kentucky Crime Commission. The Crime Control Act of 1973, 42 USC 3701, provides that the Kentucky Crime Commission shall approve or disapprove all grant applications within ninety (90) days of receipt thereof. This regulation establishes the filing period for grant applications to insure proper administrative review within this ninety (90) day period.

Section 1. Applications for grants for funds administered by the Department of Justice as the state planning agency shall be filed with the Executive Office of Staff Services of the Department of Justice. An application shall be considered as officially received and eligible for staff review by the Executive Office of Staff Services and action by the Kentucky Crime Commission at its next regular meeting if the application is in the physical possession of the Executive Office of Staff Services not later than thirty (30) calendar days prior to the next regular stated meeting of the Kentucky Crime Commission. Applications not received at least thirty (30) calendar days prior to the next regular meeting received and shall be returned to the applicant. The applicant shall be advised of the filing deadline for subsequent consideration of the application.

HENRI L. MANGEOT, Secretary

ADOPTED: April 11, 1975

RECEIVED BY LRC: April 14, 1975 at 3:19 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of State Police
(502 KAR 10:010)

RELATES TO: KRS 332.010

PURSUANT TO: KRS 15A.160, 332.100

SUPERSEDES: PSfty-DTS-1

NECESSITY AND FUNCTION: KRS 15A.160 and 332.100 provide that the Secretary of the Department of Justice in cooperation with the Commissioner, Bureau of State Police, may adopt such regulations necessary to carry out the provisions of KRS Chapter 332. This regulation establishes the definitions to be utilized in the driver training schools and instructors administrative regulations.

Section 1. As employed in the driver training and instructors administrative regulations, unless the context requires otherwise the following words and phrases have the following meanings:

- (1) "Department" means the Department of Justice.
- (2) "Secretary" means the Secretary of the Department of Justice.
- (3) "Bureau" means the Bureau of State Police.
- (4) "Commissioner" means the Commissioner, Bureau of State Police.
- (5) "Driver training" means instruction of persons in the operation of motor vehicles or the preparation of an application for examination given by the bureau for a motor vehicle operator's license.
- (6) "Person" when referring to a driver training school, means person, firm, partnership, association or corporation.
- (7) "Driver training school" means any person, firm, partnership, association or corporation which offers a course of driver training for which a fee or tuition is charged.
- (8) "Driver training instructor" means any person who gives driver training or offers a course of driver training for which a fee or tuition is charged.
- (9) "Place of business" means a designated location at which the business of the driver training school is being conducted.
- (10) "Branch office" means an approved location where the business of the driver's school is conducted, other than the principal place of business.
- (11) "High school education or the equivalent in experience" means any high school diploma or the ability to pass a General Educational Development Test.

TRUETT A. RICKS, Commissioner

ADOPTED: April 11, 1975

APPROVED:

HENRI L. MANGEOT, Secretary
RECEIVED BY LRC: April 14, 1975 at 3:14 p.m.SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary,
Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.DEPARTMENT OF JUSTICE
Bureau of State Police
(502 KAR 10:020)

RELATES TO: KRS 332.100

PURSUANT TO: KRS 15A.160, 332.100

SUPERSEDES: PSfty-DTS-8

NECESSITY AND FUNCTION: KRS 15A.160 and 332.100 provide that the Secretary of the Department of Justice in cooperation with the Commissioner, Bureau of State Police, may adopt such regulations necessary to carry out the provisions of KRS Chapter 332. This regulation establishes the bureau's policy regarding bureau premises, facility inspection, bonding and conflict of interest.

Section 1. (1) No driver training school instructor, employee, or agent will be permitted to loiter in or on premises rented, leased, owned, or used by the bureau.

(2) No driver training school instructor, employee or agent shall be permitted to personally solicit any individual on premises rented, leased, owned, or used by the bureau for the purpose of enrolling them in any driver training school.

(3) No driver training school instructor, employee or agent shall be permitted to use the space provided on the premises of any office rented, leased, owned, or used by the bureau for parallel parking during the hours while driving tests are being conducted.

(4) Practice driving is prohibited on testing areas used by the bureau while driving tests are in progress.

Section 2. (1) A driver training school shall permit any authorized representative of the bureau to inspect the school at any time.

(2) The driver training school shall make available to the bureau full information relating to data contained in its application forms and shall permit the bureau's representative to make photostat copies of school records required by the bureau.

Section 3. Every driver training school shall file with the bureau a copy of a continuous surety bond, issued by a company authorized to do business in the Commonwealth of Kentucky, for the protection of the members of the public in their dealings with the driver training school, said bond to be in the principal sum of \$1,000.

Section 4. No person whose duties relate in any way to the issuance of motor vehicle operator's license nor any employee of the bureau, nor any member of his immediate family, shall be connected in any capacity whatsoever with a driver training school.

TRUETT A. RICKS, Commissioner

ADOPTED: April 11, 1975

APPROVED:

HENRI L. MANGEOT, Secretary
RECEIVED BY LRC: April 14, 1975 at 3:17 p.m.SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary,
Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.DEPARTMENT OF JUSTICE
Bureau of State Police
(502 KAR 10:030)

RELATES TO: KRS 332.030

PURSUANT TO: KRS 15A.160, 332.100

SUPERSEDES: PSfty-DTS-2-D

NECESSITY AND FUNCTION: KRS 15A.160 and 332.100 provide that the Secretary of the Department of Justice in cooperation with the Commissioner, Bureau of State Police, may adopt such regulations necessary to carry out the provisions of KRS Chapter 332. This regulation establishes the bureau's policy regarding the licensing of driver training instructor.

Section 1. In addition to those provisions set forth in KRS 332.030(3), the bureau shall not issue a driver training instructor license to any applicant unless the applicant:

(1) Has not been convicted of more than two (2) moving hazardous traffic violations within the two (2) year period immediately preceding the date of application;

(2) Manifests good driving habits indicating a respect for traffic laws and regard for the safety of others on the highways;

(3) Has passed a written examination and road test administered by the bureau for a driver training instructor license;

(4) Is physically able to safely operate a motor vehicle and instruct or train others in its operation;

(5) Properly makes application for a driver training instructor license on forms prepared by the bureau;

(6) Is employed by a driver training school licensed by the

bureau; and

(7) Furnishes a complete set of fingerprints and two (2) one and one-half (1-1/2) by one and one-half (1-1/2) inch glossy photographs of himself to the bureau.

Section 2. Each person desiring to be licensed as a driver training instructor must make application on forms furnished by the bureau. The forms shall consist of sections dealing with the personal history of the applicant and include a physical examination report signed by an examining physician.

Section 3. The driver training instructor license application must indicate the name and address of the driver training school employing the applicant and must be signed by an agent or representative of the driver training school. The application must be verified under oath and signed by the applicant.

Section 4. Upon receipt by the bureau of a duly completed driver training instructor application, together with a twenty dollar (\$20) fee, fingerprints, photographs, and physical examination report, the applicant, if otherwise qualified, shall be entitled to take a driver training instructor written examination and driving test administered by the bureau.

Section 5. The written examination shall consist of questions dealing with Kentucky motor vehicle traffic laws, operation of motor vehicles, safe driving practices, proper teaching methods and one (1) standard textbook on driver education. The bureau may also test the applicant for depth perception, peripheral vision, and reaction time.

Section 6. The bureau's driving test will examine the applicant's ability to drive and to give driver training instructions to others.

Section 7. All applicants who pass the instructor's examination and who are otherwise qualified will be issued a driver training instructor license containing the instructor's photograph, the name and address of the licensee, the name and address of the driver training school by whom he is employed.

Section 8. Should a license be lost, mutilated, or destroyed, a duplicate license will be issued upon proof of the date the license was lost or destroyed and the circumstances involving such loss, mutilation, or destruction. In the case of a mutilated license, the surrender of such license is necessary. A one dollar (\$1) replacement charge will be made for all duplicates.

TRUETT A. RICKS, Commissioner

ADOPTED: April 11, 1975

APPROVED:

HENRI L. MANGEOT, Secretary
RECEIVED BY LRC: April 14, 1975 at 3:15 p.m.SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary,
Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.DEPARTMENT OF JUSTICE
Bureau of State Police
(502 KAR 10:040)

RELATES TO: KRS 332.030

PURSUANT TO: KRS 15A.160 and 332.100

SUPERSEDES: PSfty-DTS-3-A, 3-B, 3-C

NECESSITY AND FUNCTION: KRS 15A.160 and 332.100 provide that the Secretary of the Department of Justice in cooperation with the Commissioner, Bureau of State Police, may adopt such regulations necessary to carry out the provisions of KRS Chapter 332. This regulation establishes the bureau's policy regarding standards for driver training school facilities.

Section 1. The following standards shall apply to driver training school office facilities: (1) The established place of business of each driver training school must be owned or leased by the driver training school and regularly occupied and primarily used by that driver training school for the business of giving driving instructions for hire, and the business of preparing members of the public for examination given by the bureau for a motor vehicle operator's license.

(2) The established place of business of each driver training school must be located in a district which is zoned for business or commercial purposes. The driver training school office must have a permanent sign clearly readable from the street from a distance of no less than 100 feet, with the name of the driver training school upon the sign. If the classroom is at a different address, it must have a permanent sign which is readable from the street, from a distance of no less than 100 feet with the name of the driver training school upon the sign. The hours during which the driver training is conducted shall also be displayed. If this requirement does not comply with local zoning laws, the bureau shall permit a sign of a type which does comply.

(3) The established place of business or advertised address of any driver training school shall not consist of or include a house trailer, residence, tent, temporary address, office space only, a room or rooms in a hotel, rooming house or apartment house, or premises occupied by a single or multiple unit dwelling house. The residence requirement of this rule shall not apply to compel the discontinuance of a driver

training school which was already established and operational on or before June 16, 1966.

(4) The place of business must be operated by responsible personnel during stated office hours and shall be open to inspection of the premises, facilities, records and vehicles by any authorized representative of the department during this time.

(5) The place of business must have a separate business telephone listing.

(6) A driver training school shall not transfer its license nor change its place of business without the approval of the bureau.

Section 2. The following standards shall apply to driver training school branch offices: (1) A driver training school desiring to open a branch office shall make application on a form prescribed by the bureau. If application is approved, the bureau will issue a copy of the license of the principal place of business, appropriately endorsed, for use at the branch office. This copy must be conspicuously displayed in such branch office at all times.

(2) A branch office may not be removed to a new location without prior approval of the bureau.

(3) Should a branch office be discontinued, the branch office copy of the license must be surrendered immediately to the bureau.

(4) The branch office must meet all of the requirements of the licensed principal place of business with the exception of the classroom facility if such a classroom facility is located within a reasonable distance from the branch office.

Section 3. The following standards shall apply to driver training school classroom facilities: (1) The classroom facility of each driver training school must be reasonably accessible to its office facility.

(2) The classroom must contain sufficient space and equipment to carry on the business of giving classroom instruction for students enrolled in the driver training school, and preparing students for examination for a motor vehicle operator's license.

(3) The classroom facility must have adequate lighting, heating, ventilation, sanitation facilities, and must comply with all state and local laws relating to public health, safety and sanitation.

(4) The classroom facility must contain the following:

- (a) Seating facilities and writing surfaces for not less than eight (8) students;
- (b) Adequate blackboards which are visible from all seating areas;
- (c) Adequate charts and diagrams or pictures relating to the operation of motor vehicles and traffic laws;
- (d) Textbooks, reference books and pamphlets relating to the proper operation of motor vehicles and traffic laws;
- (e) A sixteen (16) millimeter sound projector and screen for showing driver training and sound films; and
- (f) A copy of these rules and regulations displayed so as to be accessible to all students.

(5) In addition to the foregoing, the following are suggested teaching aids:

- (a) A reactiontime testing device;
- (b) A slide projector;
- (c) Peripheral vision testing device;
- (d) Magnetic traffic boards; and
- (e) Such other devices as may help to acquaint students with traffic laws and prepare them to safely operate motor vehicles.

(6) A minimum of five (5) hours of classroom instruction must be available to each student receiving driver training from a driver training school.

TRUETT A. RICKS, Commissioner

ADOPTED: April 11, 1975

APPROVED: HENRI L. MANGROT, Secretary

RECEIVED BY LRC: April 14, 1975 at 3:15 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of State Police
(502 KAR 10:050)

RELATES TO: KRS 332.100

PURSUANT TO: KRS 15A.160, 332.100

SUPERSEDES: PSfty-DTS-7

NECESSITY AND FUNCTION: KRS 15A.160 and 332.100 provide that the Secretary of the Department of Justice in cooperation with the Commissioner, Bureau of State Police, may adopt such regulations necessary to carry out the provisions of KRS Chapter 332. This regulation establishes the bureau's policy regarding contracts and agreements involving driver training schools.

Section 1. Each school must file and maintain with the bureau a list of those persons authorized or empowered to execute contracts on behalf of the driver's school. A complete signature record form must be filed with the bureau for each person authorized to sign contracts for the school.

Section 2. Each school which uses contracts or agreements

must furnish the bureau with copies of each.

Section 3. Any student who signs a contract or agreement with any driver training school shall receive a carbon copy of the contract and the original retained and filed by the school. These contracts shall be made available to any authorized representative of the bureau upon request.

Section 4. All contracts used by a commercial driver training school shall contain the following: (1) The name and address of the school. If the school is conducted under an assumed name or is operated by a corporation, partnership or association, the agreement must contain the name of the individual owner, or such of names of the officers of the corporation, association, or members of the partnership as the bureau may require.

(2) All contracts shall contain the following statement: "This constitutes the entire agreement between the school and the student and no verbal statements or promises will be recognized."

(3) The fee charged for each lesson, if fees are charged for individual lessons, and/or the fee for the entire series of lessons agreed upon.

(4) A statement indicating that these regulations of the driver training schools are available on the school premises for the examination by the student.

TRUETT A. RICKS, Commissioner

ADOPTED: April 11, 1975

APPROVED:

HENRI L. MANGROT, Secretary

RECEIVED BY LRC: April 14, 1975 at 3:17 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of State Police
(502 KAR 10:050)

RELATES TO: KRS 332.100

PURSUANT TO: KRS 15A.160, 332.100

SUPERSEDES: PSfty-DTS-6

NECESSITY AND FUNCTION: KRS 15A.160 and 332.100 provide that the Secretary of the Department of Justice in cooperation with the Commissioner, Bureau of State Police, may adopt such regulations necessary to carry out the provisions of KRS Chapter 332. This regulation establishes the bureau's policy regarding advertising by driver training schools.

Section 1. No person shall advertise a driver training school or driver training of any type in this state unless licensed by the bureau.

Section 2. Driver training school advertising shall not imply, suggest, or give the impression that the school or any of its instructors are an agent, employee or representative of the bureau or the Commonwealth of Kentucky, nor shall any advertisement imply that the school is supervised, recommended, or endorsed by the bureau or the Commonwealth of Kentucky. Driver training schools which are licensed by the bureau may indicate in their advertising that they are "inspected and licensed by the Kentucky Bureau of State Police." No driver training school advertising shall state or imply that a motor vehicle operator's license, or in the case of truck training schools that employment is guaranteed or assured to members of the public utilizing the services of the school.

Section 3. A driver training school may not make any false or misleading claim in any of its advertising, nor shall it use a name that is like or deceptively similar to a name used by another driver training school, nor shall it advertise or imply that free lessons will be given to students who fail a motor vehicle operator's license examination.

Section 4. Each telephone directory listing or telephone advertisement of a driving school shall include the address or addresses of the driving school's established place or places of business. Addresses of telephone answering services which are not established places of business shall not be shown in any media of advertisement or telephone directory listing.

Section 5. Neither a driver training school nor an agent or employee of a driver training school shall advertise the fact that an officer, agent or employee of the school was formerly employed by the bureau.

TRUETT A. RICKS, Commissioner

ADOPTED: April 11, 1975

APPROVED:

HENRI L. MANGROT, Secretary

RECEIVED BY LRC: April 14, 1975 at 3:16 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of State Police
(502 KAR 10:070)

RELATES TO: KRS 332.030

PURSUANT TO: KRS 15A.160, 332.100

SUPERSEDES: PSfty-DTS-4

NECESSITY AND FUNCTION: KRS 15A.160 and 332.100 provide that the Secretary of the Department of Justice in cooperation with the Commissioner, Bureau of State Police, may adopt such regulations necessary to carry out the provisions of KRS Chapter 332. This regulation establishes the bureau's policy regarding the annual inspection of driver training vehicles utilized by driver training schools.

Section 1. Driver training motor vehicles must be presented to designated inspection stations at least once a year for inspection and certification as such, or made available to any authorized representative of this bureau for inspection.

Section 2. All motor vehicles used to give driver training instruction must have a current safety inspection-insurance certificate issued by the bureau which must be kept in the glove compartment.

Section 3. In order to be approved for a safety inspection-insurance certificate the motor vehicle must be:

- (1) In a safe operating condition;
- (2) Insured as required in KRS 332.030;
- (3) Registered with the bureau in the name of a driver training school;
- (4) Equipped with dual controls on the foot brake, and on the clutch, if any, which will enable the instructor to bring the car under control in case of emergency. In addition, it is suggested that the driver training school offer instruction in both manual gear shift and automatic transmission vehicles; and
- (5) Equipped with seat belts which should be used by both student and instructor.

Section 4. In addition to the requirements of Section 3 above, the following equipment shall be required: (1) Outside mirror on both driver's and instructor's side;

- (2) Emergency four (4) way signal flashers; and
- (3) Emergency ignition toggle switch on instructor's side.

Section 5. The full name of the driver training school must be prominently displayed on both front and rear of such vehicle in letters at least two (2) inches high and in colors vividly contrasting with the color of the vehicle.

Section 6. It shall be the responsibility of the driver training school and the duty of the driver training instructor to remove and destroy the safety inspection-insurance certificate when its validity has expired or the motor vehicle ceases to be used to give driver training instruction.

TRUETT A. RICKS, Commissioner

ADOPTED: April 11, 1975

APPROVED: HENRI L. MANGEOT, Secretary

RECEIVED BY LRC: April 14, 1975 at 3:16 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of State Police
(502 KAR 10:080)

RELATES TO: KRS 332.060

PURSUANT TO: KRS 15A.160, 332.100

SUPERSEDES: PSfty-DTS-9

NECESSITY AND FUNCTION: KRS 15A.160 and 332.100 provide that the Secretary of the Department of Justice in cooperation with the Commissioner, Bureau of State Police, may adopt such regulations necessary to carry out the provisions of KRS Chapter 332. This regulation establishes the bureau's policy regarding license suspensions, revocations or denials.

Section 1. In addition to the provisions of KRS 332.060, the commissioner shall upon receipt of satisfactory evidence, suspend, revoke, refuse to issue or refuse to renew the license of a driver training school or a driver training instructor if:

- (1) The licensee fails or refuses to comply with the provisions of KRS Chapter 332 or any rule or regulation adopted thereunder.
- (2) The licensee had made a false material statement or has concealed a material fact in connection with his application.
- (3) The licensee or any officer, director, partner, or other person directly interested in the driver training school held a license issued under KRS 332.030 which was revoked or suspended and not reinstated.
- (4) The licensee has been guilty of a fraudulent practice in attempting to obtain for himself or another a license to operate a motor vehicle.
- (5) Written notice of the cancellation of insurance required by KRS 332.030 is received by the commissioner and the licensee does not present satisfactory evidence of insurance to the commissioner prior to the effective date of the

cancellation.

(6) The licensee has failed to maintain adequate standards of instructions or safe and necessary equipment which is needed to give proper driver training instruction.

(7) The licensee is employing instructors or agents who have not been licensed by the bureau.

(8) The licensee has been convicted of a felony, or any crime involving violence, dishonesty, deceit, indecency, or immoral conduct.

(9) The licensee or any officer, director, partner or other person directly interested in the driver training school or any instructor licensed under the name of the school shall have in their possession a copy of the bureau's driver licensing examination questions or their equivalent, or attempts to obtain a copy of these test questions for the purpose of making them available to their students or any other person.

(10) Fraud is apparent in connection with licensee's operation or dealing with members of the public utilizing licensee's services.

Section 2. Whenever a driver training instructor is convicted of driving an automobile while under the influence of intoxicating liquor or of leaving the scene of an accident, reckless homicide, two (2) moving hazardous violations within a two (2) year period, or driving when addicted to or while under the influence of narcotic drugs, his license shall be revoked.

TRUETT A. RICKS, Commissioner

ADOPTED: April 11, 1975

APPROVED: HENRI L. MANGEOT, Secretary

RECEIVED BY LRC: April 14, 1975 at 3:18 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of State Police
(502 KAR 15:010)

RELATES TO: KRS 189.635

PURSUANT TO: KRS 15A.160, 189.635

NECESSITY AND FUNCTION: KRS 15A.160 and 189.635 provide that the Secretary of the Department of Justice may adopt such regulations necessary to carry out the provisions of KRS 189.635. This regulation establishes the Department of Justice's policy regarding administration of the uniform police traffic accident program adopted pursuant to KRS 189.635.

Section 1. The "Uniform Police Traffic Accident Report" form published by the Department of Justice shall be the official vehicle accident report form for all law enforcement agencies in Kentucky.

Section 2. Interpretation and classification of traffic accidents in connection with completion of a Kentucky uniform police traffic accident report form shall follow instructions in the "Kentucky Uniform Police Traffic Accident Report Manual" as published by the Department of Justice and instructions not in conflict with the Kentucky manual contained in the "Manual on Classification of Motor Vehicle Traffic Accidents," as published by the National Safety Council.

Section 3. A law enforcement agency whose officers make a report of a traffic accident shall be termed an originating agency with respect to such report and shall retain a copy of such report. Responsibility for providing copies of traffic accident reports shall remain with the originating agency.

Section 4. A law enforcement agency receiving a vehicle accident report pursuant to KRS 189.635 shall within ten (10) days thereafter forward the original copy of such report to the Traffic Records Section, Bureau of State Police, Department of Justice, Frankfort, Kentucky 40601, in envelopes provided by the department. The report shall be mailed flat and not folded.

Section 5. This regulation shall be applicable to vehicle accidents occurring on or after July 1, 1975.

HENRI L. MANGEOT, Secretary

ADOPTED: April 11, 1975

RECEIVED BY LRC: April 14, 1975 at 3:18 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of Training
(503 KAR 5:010)

RELATES TO: KRS 15.420

PURSUANT TO: KRS 15.450, 15A.160

SUPERSEDES: Jus-1

NECESSITY AND FUNCTION: KRS 15.450 and 15A.160 provide that the Secretary of the Department of Justice may adopt such regulations as are necessary to properly administer the

law enforcement foundation program fund. This regulation establishes the definitions to be utilized in the law enforcement foundation program fund administrative regulations.

Section 1. Definitions. As employed in the Kentucky Law Enforcement Foundation Program Fund administrative regulations, unless the context requires otherwise the following words and phrases have the following meanings:

- (1) "Department" means the Department of Justice.
- (2) "Secretary" means the Secretary of the Department of Justice.
- (3) "Bureau" means the Bureau of Training.
- (4) "Executive Office of Staff Services" means the Executive Office of Staff Services of the Department of Justice.
- (5) "Fund" means the Kentucky Law Enforcement Foundation Program Fund as provided in KRS 15.410 to 15.510.
- (6) "Council" means the Kentucky Law Enforcement Council.
- (7) "Local unit" means the local unit of government of any city or county, or any combination of cities or counties of the Commonwealth.
- (8) "Police officer" means a full-time member of a lawfully organized police department of county or city government who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state, but does not include Kentucky State Police, any elected officer, sheriff, deputy sheriff, constable, deputy constable, district detective, deputy district detective, special local peace officer, auxiliary police officer or any peace officer not specifically authorized in KRS 15.410 to 15.510.
- (9) "Full-time member" means a sworn police officer who is paid a salary by the local unit for working at least a standard work year.
- (10) "Standard work year" means 2,080 hours of employment during fifty-two (52) consecutive weeks and includes all paid vacation hours, paid sick hours, paid holiday hours, and paid training hours.
- (11) "Base salary" means the minimum annual salary, including longevity, paid to a police officer for a standard work year by the local unit, but shall not include any incentive monies paid by the fund, expenses for uniforms or equipment paid by a police officer as a condition of employment which may reduce the officer's salary, or any other remuneration directly related to employment by the local unit.
- (12) "Crime prevention team" means a law enforcement unit approved by the department and the Law Enforcement Assistance Administration, United States Department of Justice, consisting of one or more police officers who are specially trained and whose duties and responsibilities are to anticipate, recognize and appraise a crime risk and initiate action to remove or reduce that risk.
- (13) "Normal salary increase" means the normal salary increase periodically due to police officers by a local unit of government.
- (14) "Police training incentive" means those basic and in-service training programs financed in part by the fund which provide a financial incentive to local units and police officers who meet the requirements set forth in these regulations.
- (15) "Educational incentive" means that educational program financed in part by the fund which provides a financial incentive to local units and police officers who meet the requirements set forth in these regulations.
- (16) "Successfully completed" means earning a "C" grade or better on a letter grade basis or pass on a pass/fail basis.
- (17) "Fiscal year" means the period from July 1 through June 30 of the year next following.

HENRI L. MANGEOT, Secretary

ADOPTED: April 11, 1975

RECEIVED BY LRC: April 14, 1975 at 3:08 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of Training
(503 KAR 5:020)

RELATES TO: KRS 15.440

PURSUANT TO: KRS 15.450, 15A.160

SUPERSEDES: Jus-2

NECESSITY AND FUNCTION: KRS 15.450 and 15A.160 provide that the Secretary of the Department of Justice may adopt such regulations as are necessary to properly administer the law enforcement foundation program fund. KRS 15.440 sets forth statutory requirements for participation in the fund. This regulation establishes general administrative participation requirements in the fund in compliance with KRS 15.440.

Section 1. Eligibility to participate in the fund is limited to local units of government meeting the qualifications as provided by law. The local unit shall apply for participation in the fund on forms provided by the Executive Office of Staff Services. The application shall be postmarked on or before April 30 preceding the fiscal year in which the local unit desires to participate. Provided, however, the secretary may extend the filing deadline when such extension is based upon reasonable administrative need.

Section 2. The local unit shall employ one (1) or more

police officers.

Section 3. The local unit shall pay every police officer a minimum base salary of not less than \$4,350 per annum for a standard work year.

Section 4. The local unit shall maintain a high school degree or its equivalent as determined by the council as the minimum educational requirement for employment of police officers after initial participation in the fund.

Section 5. Training Requirements. (1) Local units which are participating in the fund shall require all police officers employed by the local unit on or after July 1, 1972, to successfully complete a basic training course of at least 400 hours duration within one (1) year of the date of employment at a school certified or recognized by the council.

(2) Except as provided in Section 3, dealing with basic training and in-service training, local units which have not previously participated in the fund shall require all police officers employed by the local unit on the date of initial participation to complete a basic training course of at least 400 hours duration within one (1) year of the date of initial participation at a school certified or recognized by the council. All police officers employed after the date of initial participation shall complete the basic training within one (1) year of the date of employment as required for participating local units.

(3) The local unit shall require all police officers to successfully complete each calendar year an in-service training course, appropriate to the officer's rank and responsibility and size and location of his department, of at least forty (40) hours duration at a school certified or recognized by the council.

Section 6. The local unit shall comply with all provisions of law applicable to local police and shall file all reports as required by laws or pursuant to these regulations.

Section 7. In compliance with the special condition of funding by the Law Enforcement Assistance Administration, each local unit employing forty (40) or more police officers shall establish crime prevention teams.

Section 8. To be eligible for participation in the fund, the local unit shall enact or amend an appropriate ordinance or resolution incorporating compliance by the local unit and its police officers with the provisions of KRS 15.410 to 15.510 and these regulations. A certified copy of the ordinance or resolution shall be submitted by the local unit to the Executive Office of Staff Services with the local unit's application for participation in the fund.

Section 9. Each local unit employing forty (40) or more police officers shall provide to the Executive Office of Staff Services a semiannual report on police manpower allocation. The local unit's report shall demonstrate how each police agency's patrol allocation has taken into consideration and given priority to major crime areas.

Section 10. The Administrator, Executive Office of Staff Services, may withhold or terminate incentive fund payments to any local unit that does not comply with the provisions of KRS 15.410 to 15.510 or these regulations.

HENRI L. MANGEOT, Secretary

ADOPTED: April 11, 1975

RECEIVED BY LRC: April 14, 1975 at 3:09 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of Training
(503 KAR 5:030)

RELATES TO: KRS 15.440

PURSUANT TO: KRS 15.450, 15A.160

SUPERSEDES: Jus-3

NECESSITY AND FUNCTION: KRS 15.450 and 15A.160 provide that the Secretary of the Department of Justice may adopt such regulations as are necessary to properly administer the law enforcement foundation program fund. KRS 15.440 requires police officers participating in the fund to complete a specific number of hours of basic training and in-service training. This regulation establishes general basic training and in-service training requirements for participating police officers and local units of government.

Section 1. The bureau shall review the qualifications of police officers employed by local units after the effective date of this regulation, to determine the basic training, if any, which the police officer may be required to successfully complete prior to being eligible to participate in the fund.

Section 2. Any police officer employed prior to July 1, 1972, shall be deemed to have met the basic training requirements.

Section 3. Any police officer employed by a participating local unit who possesses a high school degree or its equivalent

lent and training equivalent to the basic training requirements established by the council may be eligible to participate in the fund by successfully passing the basic training final examination.

Section 4. Any police officer employed by a participating local unit who does not possess a high school degree or its equivalent and training equivalent to the basic training requirements established by the council must attain a high school degree or its equivalent and attend those sections of the basic training course recommended by the bureau and successfully complete the basic training final examination.

Section 5. Any police officer who attends the basic training course or takes the basic training final examination and fails to successfully complete the course or fails the basic training final examination shall be ineligible to participate in the fund until such time as he successfully completes the basic training course or successfully passes the basic training final examination, as the case may be. Provided, however, that the failure to successfully complete the course or failure to successfully pass the basic training final examination under circumstances beyond the police officer's control, such as injury or serious illness, shall not disqualify the police officer's participation in the fund if those requirements are satisfactorily completed within a reasonable period of time.

Section 6. Any police officer who attends a certified or recognized in-service training course and fails to successfully complete the course shall be ineligible to participate in the fund until such time as the officer successfully completes a certified or recognized in-service training program. Provided, however, that the failure to successfully complete the course under circumstances beyond the police officer's control, such as injury or serious illness, shall not disqualify the police officer's participation in the fund if those requirements are satisfactorily completed within a reasonable period of time.

Section 7. Any police officer who successfully completes the basic training course during any calendar year shall be considered as having fulfilled the in-service training requirements for that year.

Section 8. The local unit must provide at least five (5) days training leave with pay not chargeable to the police officer's annual leave record for each police officer receiving in-service training.

HENRI L. MANGEOT, Secretary

ADOPTED: April 11, 1975

RECEIVED BY LRC: April 14, 1975 at 3:10 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of Training
(503 KAR 5:040)

RELATES TO: KRS 15.460

PURSUANT TO: KRS 15.450, 15A.160

SUPERSEDES: Jus-4

NECESSITY AND FUNCTION: KRS 15.450 and 15A.160 provide that the Secretary of the Department of Justice may adopt such regulations as are necessary to properly administer the law enforcement foundation program fund. KRS 15.460 provides that local units of government participating in the fund shall file an educational incentive plan consistent with guidelines and standards established by the department. This regulation establishes the department guidelines and standards for educational incentive plans.

Section 1. The local unit shall file an educational incentive plan to be eligible for educational incentive benefits under the fund. The plan shall be filed with the Executive Office of Staff Services.

Section 2. The plan shall include the following information: (1) The names of all police officers expected to participate, their social security number, payment status, and the number of college semester hours each police officer has successfully completed.

(2) A list of acceptable areas of study which will qualify the police officer for educational incentive funds.

(3) A budget for the allocation of local educational incentive funds and state educational incentive funds.

(4) The local unit's program for assisting police officers in qualifying for educational incentive funds.

(5) The local unit's commitment that the plan shall guarantee all police officers an equal opportunity to participate in the educational incentive fund up to the maximum benefits provided by law.

Section 3. Educational incentive benefits shall be based solely on college credits attained by police officers. To be eligible, the police officer must successfully complete at least six (6) college semester hours.

Section 4. In order for a police officer to be eligible to receive educational incentive funds, his official transcript must be mailed directly by the college or university to the

Executive Office of Staff Services not later than thirty (30) days prior to the beginning of the month for which educational incentive funds are requested.

Section 5. (1) No college credit earned as a result of participating in a basic or in-service training program may qualify a police officer for educational incentive funds except to the extent that said training exceeds minimum standards for basic or in-service training.

(2) Only successfully completed college hours which are accepted by the accredited university or college where the police officer is currently enrolled, most recently enrolled, or earned his degree may be used to qualify the police officer for educational incentive funds. If a police officer has attended more than one (1) college or university, only those successfully completed college hours which are accepted by the accredited college or university where the police officer is or was most recently classified as a matriculated student shall be used to qualify the police officer for educational incentive funds.

(3) All credit hours mentioned herein are semester credit hours. Participants earning credit at a college or university using a system other than the semester credit hour system shall cause that institution to provide sufficient information to the Executive Office of Staff Services so that the participant's credits may be recomputed on a semester credit hour basis using the equivalencies officially established by that college or university.

HENRI L. MANGEOT, Secretary

ADOPTED: April 11, 1975

RECEIVED BY LRC: April 14, 1975 at 3:10 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of Training
(503 KAR 5:050)

RELATES TO: KRS 15.460, 15.470, 15.490

PURSUANT TO: KRS 15.450, 15A.160

SUPERSEDES: Jus-5

NECESSITY AND FUNCTION: KRS 15.450 and 15A.160 provide that the Secretary of the Department of Justice may adopt such regulations as are necessary to properly administer the law enforcement foundation program fund. KRS 15.470 and 15.490 set forth the purposes for which foundation program funds may be used and the reporting procedures for accounting for those funds. This regulation establishes the salary provisions and reporting procedures authorized by KRS 15.470 and 15.490.

Section 1. (1) Incentive funds shall be used only as a cash supplement to compensate police officers who meet the qualifications established by law and these regulations.

(2) Each police officer shall be entitled to receive the state incentive fund supplement which his qualifications brought to the local unit.

(3) Incentive funds shall not be used to supplant existing salaries or as a substitute for normal salary increases periodically due police officers.

(4) The local unit shall not be required to award normal salary increases under the fund which would violate any federal or state law or regulation regarding wage guidelines.

Section 2. Upon acceptance for participation in the fund, the local unit shall be eligible to receive fifteen (15) percent of each qualified police officer's salary from the fund to be paid to each officer in addition to his base salary. The award to the local unit shall be based upon the total base salaries of all qualified fulltime, sworn police officers employed by the local unit.

Section 3. Upon acceptance for participation in the fund, the local unit shall be eligible to receive fifty (50) percent of any salary increase paid to police officers solely because of college credits attained not to exceed \$500 per year for any one police officer. Payment shall be based upon the following schedule:

Number of Hours Attained	Amount of Annual Incentive Payment	
	Max. Temp. Payment*	Max. Perm. Payment**
6 or more hours but less than 30	\$200	\$ 0
30 or more hours but less than 60	350	200
Associate Degree	400	250
60 or more hours but less than 90	450	350
90 or more hours but less than 120	500	450
120 or more hours but no degree	500	450
Bachelor's Degree or more	500	500

*Temporary payments can only be made to police officers who

successfully complete at least twelve (12) semester hours, or the equivalent thereof each fiscal year.

**Permanent payments may be made whether or not the officer successfully completes twelve (12) semester hours per year.

Section 4. Each police officer's base salary is calculated by using the following formula: 2,080 hours divided by the number of work hours per year required by the local unit multiplied by the salary paid by the local unit minus expenses equals the base salary paid for a standard work year. The number of hours paid for holidays, annual leave, sick leave, and training leave are counted the same as any other work day. Examples: (1) A police officer is required to work sixty (60) hours per week (3,120 hours per year) and his pay for 3,120 hours is \$6,552. He has an expense of \$100 which is disallowed. The following application of the formula would result:

$$\frac{2080 \times 6552 - 100}{3120} = 4268$$

This police officer would not qualify.

(2) A police officer works fifty-six (56) hours per week (2,912 hours per year) and his pay is \$6,406. He has an expense of \$175 which is disallowed. The following application of the formula would result:

$$\frac{2080 \times 6406 - 175}{2912} = 4400$$

This police officer would qualify and his salary incentive would be computed on \$4,400.

Section 5. (1) Request for funds by the local unit shall be submitted to the Executive Office of Staff Services not later than thirty (30) days prior to the beginning of the month in which the funds are to be expended.

(2) The Executive Office of Staff Services shall mail fund checks to all local units that have filed timely requests for funds by the first day of each month.

(3) The local unit shall acknowledge receipt of funds to the Executive Office of Staff Services on forms provided for that purpose.

Section 6. (1) The local unit shall include the additional compensation paid to each police officer from the fund as a part of the officer's salary in determining all payroll deductions.

(2) The local unit shall indicate upon a check stub or separate receipt the gross sum of incentive funds paid to the police officer.

(3) The local unit shall disburse incentive funds during the month for which the funds are requested.

Section 7. The local unit shall maintain a separate account for all incentive funds which it receives pursuant to KRS 15.410 to 15.510 and these regulations.

Section 8. The local unit shall maintain records to document that each police officer devotes sufficient hours performing police duties to qualify him for incentive funds consistent with his base salary.

Section 9. (1) Each participating local unit shall submit quarterly reports to the Executive Office of Staff Services within fifteen (15) days of the close of the quarter falling on March 31, June 30, September 30, and December 31 of each year. There shall be a separate quarterly report for police training incentive funds and educational incentive funds.

(2) The quarterly reports shall include the name, rank, social security number, date of employment, annual base salary, and the amount of incentive funds received for each police officer.

Section 10. (1) The local unit may be audited by the department or the Law Enforcement Assistance Administration pursuant to established audit procedures.

(2) For audit purposes, the local unit shall maintain accurate financial records. Such records shall include, but are not limited to, books of original entry, source documents supporting accounting transactions, the general ledger, subsidiary ledgers, personnel and payroll records, cancelled checks, and any related document and record.

(3) These records shall be retained by the local unit until destruction is authorized by the department or the Law Enforcement Assistance Administration.

HENRI L. MANGEOT, Secretary

ADOPTED: April 11, 1975
RECEIVED BY LRC: April 14, 1975 at 3:11 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of Training
(503 KAR 5:070)

RELATES TO: KRS 15.410 to 15.510
PURSUANT TO: KRS 15.450, 15A.160
SUPERSEDES: Jus-7

NECESSITY AND FUNCTION: KRS 15.450 and 15A.160 provide that the Secretary of the Department of Justice may adopt such regulations as are necessary to properly administer the law enforcement foundation program fund. KRS 15.450 author-

izes the secretary to withhold or terminate payment to any local unit of government that does not comply with the requirements of KRS 15.410 to 15.510 or the regulations issued by the department. This regulation establishes the specific basis for suspension or termination of any incentive funds.

Section 1. Failure to comply with KRS 15.410 to 15.510 or the rules and regulations issued pursuant thereto may result in the suspension or termination of all incentive fund payments to the local unit and/or the return of the funds involved.

Section 2. (1) Knowingly furnishing false information required by KRS 15.410 to 15.510 or these regulations by a local unit may result in the suspension or termination of all incentive fund payments to the local unit.

(2) Any local unit which has received incentive funds pursuant to KRS 15.410 to 15.510 or these regulations as a result of false, inaccurate, or fraudulent reporting may be required to return any funds so obtained.

HENRI L. MANGEOT, Secretary

ADOPTED: April 11, 1975
RECEIVED BY LRC: April 14, 1975 at 3:14 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF JUSTICE
Bureau of Training
(503 KAR 5:070)

RELATES TO: KRS 15.510
PURSUANT TO: KRS 15.450, 15A.160
SUPERSEDES: Jus-6

NECESSITY AND FUNCTION: KRS 15.450 and 15A.160 provide that the Secretary of the Department of Justice may adopt such regulations as are necessary to properly administer the law enforcement foundation program fund. KRS 15.510 provides that an appeal may be taken from any decision of the Department of Justice to withhold or terminate payments from the fund to the circuit court. This regulation establishes an internal administrative hearing process to review decisions adverse to participants in the fund and to resolve, where possible on an administrative basis, potential civil litigation.

Section 1. Appeals. (1) A party adversely affected by a decision of the Executive Office of Staff Services pursuant to administration of the provisions of KRS 15.410 to 15.510 and these regulations may appeal that decision.

(2) Such appeals shall be made to the Administrator of the Executive Office of Staff Services in writing setting forth the basis of the appeal.

(3) The administrator shall designate an appropriate time and place to conduct a hearing. The administrator may conduct the evidentiary hearing or he may designate a hearing examiner to conduct such hearings. If a hearing examiner conducts such hearings, he shall submit findings and recommendations to the administrator.

(4) At the hearing, all parties shall have the right to be heard publicly and to be represented by counsel to present evidentiary facts. At the hearing of such appeal, technical rules of evidence shall not apply.

(5) Following the hearing, the administrator shall issue a written opinion, a copy of which shall be provided to all parties. The decision of the administrator shall be final unless appealed to the circuit court of the county where the controversy originates.

HENRI L. MANGEOT, Secretary

ADOPTED: April 11, 1975
RECEIVED BY LRC: April 14, 1975 at 3:11 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Secretary, Department of Justice, 213 St. Clair Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Bureau of Vehicle Regulation
(601 KAR 1:005)

RELATES TO: KRS Chapter 281
PURSUANT TO: KRS 281.600, 13.082
SUPERSEDES: DMT-19

NECESSITY AND FUNCTION: This regulation sets out safety procedures to be followed by motor carriers operating in the Commonwealth of Kentucky.

Section 1. (1) Motor Carrier Safety Regulations as of July 1, 1974, and future amendments and revisions thereto, adopted and issued by the U.S. Department of Transportation relating to the following subjects: Part 392, Driving of Motor Vehicles; Part 393, Parts and Accessories for Safe Operations; Part 394, Reporting of Accidents; Part 396, Inspection and Maintenance; and Part 397, Transportation of explosives and other dangerous articles by motor vehicles are hereby adopted and filed herein by reference, insofar as they do not conflict with the laws of Kentucky, and all commercial motor vehicles

operated for-hire or in private carriage shall comply therewith. These regulations are not applicable to motor vehicles primarily designed for carrying passengers and having provisions for not more than nine (9) passengers (including the driver), motorcycles, side car attachments and motor vehicles owned by the federal government, a state, a county, a city or a board of education.

(2) Subject To The Following Exemptions And Exceptions:

- (a) City buses, suburban buses, taxicabs, and motor vehicles (except those motor vehicles transporting dangerous articles-Part 397) operated exclusively in a residential or business district of a city are not required to comply with the aforesaid safety regulations.
- (b) Farm trucks, dump trucks, log trucks and trucks used exclusively to haul coal, gravel, asphalt or like materials when operated during daylight hours are not required to comply with the above safety regulations relative to light fixture requirements.
- (c) Driver logs and maintenance and repair reports are not required to be kept or maintained on a vehicle when operated in intrastate commerce.

Section 2. No owner or operator of a commercial motor vehicle, whether operating as a for-hire carrier or as a private carrier, shall require or permit any driver or chauffeur to remain continuously on duty for a longer period than twelve (12) hours, and when any such driver or chauffeur has been continuously on duty for twelve (12) hours he shall have at least eight (8) consecutive hours off duty. No such owner or operator shall require or permit any such driver or chauffeur to remain on duty for a longer period than sixteen (16) hours in the aggregate in any twenty-four (24) hour period, and when a driver or chauffeur has been on duty sixteen (16) hours in the aggregate of any twenty-four (24) hour period he shall have at least ten (10) consecutive hours off duty. The period of release from duty required by this regulation shall be given at such places and under such circumstances that rest and relaxation from the strain of the duties of the employment may be obtained. No period off duty shall be deemed to break the continuity of service unless it be for at least three (3) consecutive hours and is given at such a place and under such circumstances that rest and relaxation from the strain of the duties of the employment may be obtained. In case of an unforeseen emergency not resulting from the negligence of the owner or operator or his agents, servants or employees, the driver or chauffeur may complete his run or tour of duty, if the run or tour of duty but for the delay caused by the emergency could reasonably have been completed without a violation of this regulation. The department may require such reports as it deems necessary for the enforcement of this regulation.

Section 3. Buses. Buses must be maintained in a clean and sanitary condition so that the health of passengers will not be impaired. Seats must be comfortable in order that passengers will not be subjected to unreasonable discomfort which might be detrimental to their health and welfare. Employees in charge of buses shall be courteous and helpful to passengers, properly caring for baggage so that it will not be damaged, and should be acquainted with the routes traveled and schedules maintained, so that the passengers will not be subjected to unnecessary delays. All operators must take into consideration the health and welfare of their passengers and control their operations in the public interest. Express and freight, mail bags, newspapers and baggage must be so placed as not to interfere with the driver or with the safety and comfort of passengers. Such items must be protected from the weather but shall not be carried in the aisles or in such position as to block exits or doorways on the bus. No aisle seat shall be permitted in any bus and the driver's seat must be separated from every other seat.

Section 4. Overcrowding Of Passenger Vehicles. No bus operated by an authorized carrier, except city or suburban buses, shall transport passengers in excess of the load limit hereinafter set forth. The load limit shall be the rated seating capacity for which the vehicle is licensed plus twenty-five (25) percent of said rated seating capacity. This load limit is subject to the provision that in no event shall any authorized carrier, including city or suburban bus operators, permit standees to occupy that space forward of a plane drawn through the rear of the driver's seat perpendicular to the longitudinal axis of the bus. This forward space shall be plainly marked with a line, or otherwise equipped with identification, so as to indicate to standees that they are prohibited from occupying it. No passenger shall be permitted to occupy the rear door-well of any bus vehicle that is equipped with such a rear door-well. Taxicabs shall not carry a number of passengers greater than the rated seating capacity of the vehicle, and in no event more than six (6) passengers exclusive of the driver.

Section 5. Identification. All authorized carriers must at all times display on each side of every vehicle employed by them in their operations the name of the person conducting the said operation as it appears upon the certificate or permit authorizing the operation. An assumed or trade name may be used providing the appropriate statutes and regulations are complied with and the assumed or trade name also appears upon the certificate or permit. The letters shall be of sufficient size so as to be readily legible. The company number of the vehicle must be prominently displayed on each side of the vehicle and the cab card issued for the vehicle must at all times be prominently displayed on the inside thereof. The

name of the driver operating a vehicle engaged in transportation of persons for hire shall be prominently displayed in the vehicle.

Section 6. Rest Stops. Every regular rest stop maintained by an authorized carrier of persons must possess sufficient restaurant and rest room facilities to accommodate the driver and the number and types of passengers which may reasonably be expected to use such facilities. Rest stop establishments must have a high standard of sanitation and possess efficient equipment comparable to other restaurants or similar establishment in the area, and shall provide janitorial services necessary to assure the maximum cleanliness at all times. Adequate, efficient, economical and courteous service must be provided, together with the quality and quantity of goods and refreshments necessary to meet the reasonable requirements of the traveling public, conforming to the standard of practices and prices customarily charged in the area. Authorized carriers of persons in selecting regular rest stops must take these factors into consideration. Each authorized carrier of persons shall have on file with the department a list of all its regular rest stops.

Section 7. Flares And Warning Signals. (1) All motor trucks, as defined in KRS 189.010(3), when being operated outside of a business or residential district, shall carry flares and warning signals and shall display same so as to give notice to other vehicles being operated on the highway if the motor truck is disabled.

(2) Such flares and signals shall be the same as is required by, and shall be displayed, in accordance with the Revised Safety Regulations of the U.S. Department of Transportation and amendments as of July 1, 1974.

Section 8. Out Of Service Sticker. In the event a commercial vehicle is determined to be operating improperly registered or in violation of any safety regulation or requirement, employees of the Department of Transportation are authorized to affix thereto a notice indicating the nature of the violation, requiring its correction before the motor vehicle is further operated. Operation of such a vehicle in violation of the notice affixed thereto shall constitute a separate violation of these regulations.

O. B. ARNOLD, Commissioner

ADOPTED: March 5, 1975

APPROVED:

J. C. ROBERTS, Secretary

RECEIVED BY LRC: March 17, 1975 at 11:11 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Bureau of Vehicle Regulation, State Office Building, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Bureau of Vehicle Regulation
(601 KAR 12:020)

RELATES TO: KRS 186.480

PURSUANT TO: KRS 186.400, 13.082

SUPERSEDES: PSfty-DL-1

NECESSITY AND FUNCTION: This regulation requires a driver whose Kentucky Operator's License has been expired for a period in excess of one (1) year to demonstrate that he is able to safely operate a motor vehicle.

Section 1. (1) Any person whose Kentucky operator's license has been expired for a period in excess of one (1) year shall be required to comply with KRS 186.480(1), and unless the applicant has a visible or known physical defect, the actual driving test will be waived. This regulation in no matter intends to validate any license which has been expired.

(2) Such persons whose Kentucky operator's licenses have not been expired for a period in excess of one (1) year shall make application as prescribed in the Kentucky Revised Statutes.

O. B. ARNOLD, Commissioner

ADOPTED: March 16, 1975

APPROVED:

JOHN C. ROBERTS, Secretary

RECEIVED BY LRC: April 14, 1975 at 2:54 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Bureau of Vehicle Regulation, State Office Building, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Bureau of Vehicle Regulation
(601 KAR 12:030)

RELATES TO: KRS 186.450

PURSUANT TO: KRS 186.400, 13.082

SUPERSEDES: PSfty-DL-2

NECESSITY AND FUNCTION: This regulation requires a new driver to possess an instruction permit for a minimum of one (1) calendar month prior to taking a driving test. This gives the new driver an opportunity to practice good driving habits.

Section 1. All new drivers who are unable to present evidence of previously being licensed shall be required to hold

an instruction permit issued pursuant to KRS 186.450 for a minimum of one (1) calendar month before submitting to the actual driving test.

ADOPTED: March 17, 1975
 APPROVED: JOHN C. ROBERTS, Secretary
 RECEIVED BY LRC: April 5, 1975 at 1:53 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Bureau of Vehicle Regulation, State Office Building, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
 Bureau of Vehicle Regulation
 (601 KAR 13:020)

RELATES TO: KRS 186.570

PURSUANT TO: KRS 13.082

SUPERSEDES: PSfty-DI-4, 5-2, 9, 10, 11

NECESSITY AND FUNCTION: This regulation is the so-called "point system" whereby each traffic violation conviction is assigned a certain number of points, according to the seriousness of the offense, as determined by accident-cause statistics. Certain offenses have proven so dangerous that they, along with certain license violations, are made cause for suspension periods rather than point accumulation. The purpose of this is to establish a criterion whereby the discretion allowed in determining the "habitually reckless or negligent driver" or the "serious violation" will not be exercised arbitrarily and capriciously, but each license holder will be treated like every other one, and each will know or can determine his "point" status at any given time.

Section 1. To assist the Department of Transportation in making a determination that a person is an habitually reckless or negligent driver of a motor vehicle or has committed a serious violation of the motor vehicle laws for the purpose of denying, suspending, or revoking that person's license in accordance with KRS 186.570 a schedule of penalty points shall govern. Value points for the different classifications of moving hazardous violations, or a suspension period for certain named violations, shall be assessed as set out in Sections 2 and 3 of this regulation for all drivers. Points shall be assessed or suspensions invoked for convictions, forfeiture of bail, or payment of fines, with or without a court appearance, for the enumerated offenses regardless of whether the conviction is received from a court of competent jurisdiction within the Commonwealth of Kentucky or any other jurisdiction (except for out-of-state speeding offenses). Information regarding convictions may be secured from any official sources or records available to public or departmental inspection. Complete records of suspensions and point system assessments shall be maintained in the Department of Transportation.

Section 2. Conviction for any one of the following serious violations of the motor vehicle laws shall be cause for suspension for the period of time indicated:

Racing.....	90 days
Speeding 26 MPH or more over limit.....	90 days
Attempting to Elude Law Enforcement Officer by use of Motor Vehicle.....	90 days

Section 3. Conviction for any one of the following Moving Hazardous Violations shall be cause for assessment of the penalty points indicated:

Speeding 15 MPH or less over the limit.....	3
Speeding 16 MPH or more, but less than 26 MPH, over the limit.....	6
Improper passing.....	5
Reckless Driving.....	4
Driving on Wrong Side of Road.....	4
Following Too Close.....	4
Failure to Yield to Emergency Vehicle.....	4
Changing Drivers in a Moving Vehicle.....	4
Vehicle Not Under Control.....	4
Stop Violation (electric signal, railroad crossing, stop sign).....	3
Failure to Yield.....	3
Wrong Way on One-Way Street.....	3
Too Fast for Conditions.....	3
Too Slow for Conditions.....	3
Improper Start.....	3
Improper Driving.....	3
Careless Driving.....	3
Improper Lane Usage.....	3
Failure to Illuminate Headlights.....	3
Failure to Dim Headlights.....	3
Any Other Moving Hazardous Violations.....	3
Commission of a Moving Hazardous Violation which involves an accident.....	0
Combination of Two or More Moving Hazardous Violations in any one occurrence.....	6

Section 4. (1) On the accumulation of six (6) or more points any driver the Department of Transportation may send a letter to the address shown on his driver license record that will require said driver to be interviewed by a driver improvement officer for the purpose of seeking a solution to his errant driving behavior. Failure to report for

the interview shall be cause for the department to suspend the person's driving right for a period of not less than thirty (30) days.

(2) After this interview, the department may require the driver to attend a driver improvement clinic approved by the Department of Transportation.

(3) Upon evidence to the department that a valid license holder has successfully completed this clinic, a four (4) point credit shall be given on the driver record of those who voluntarily complete the driver improvement clinic after the effective date of this regulation. This subsection shall not apply when a driver is required to attend the driver improvement clinic as a condition of his probation.

(4) No driver shall be permitted to attend this clinic until two (2) years have elapsed following the date of completion of a previous clinic for the reduction of points or reduction of a suspension period.

Section 5. (1) Upon the accumulation of twelve (12) points by any driver within a period of two (2) years, the department may suspend the operating right of such driver for a period of six (6) months for the first such accumulation of twelve (12) points, one (1) year for the second such accumulation of twelve (12) points, and two (2) years for any subsequent accumulation of twelve (12) points within the two (2) year period.

(2) For any violation for which the suspension of the driving privilege is six (6) months or less for the first offense, the second conviction of a similar offense shall result in a suspension period of not less than one (1) year, and any subsequent conviction for any similar offense not less than two (2) years.

(3) Provided the driver is eligible for "probation," the department may waive the remainder of a driver's suspension period after he has served one-half (1/2) of it. Upon this waiver, the department shall place the driver on "probation" as outlined in Section 6(2) of this regulation, for two (2) times the amount of time remaining on the suspension period.

Section 6. (1) Any driver who accumulates twelve (12) points or more within a period of two (2) years, or who is convicted of any offense that could result in a discretionary suspension, may be placed on "probation" in lieu of suspension.

(2) A driver receiving a conviction from a moving hazardous violation from any court outside the boundaries of Kentucky which may result in a suspension shall be offered a hearing prior to any suspension of his driving right.

(3) "Probation" for the purpose of this regulation means that upon any additional future conviction for a moving violation with or without court appearance, or upon failure to successfully complete the driver improvement clinic, the driver shall have his driving right in Kentucky suspended for the period of time outlined in Section 5(1) and (2). In the situation where a driver has been convicted of driving under the influence of intoxicants in a foreign jurisdiction, probation may include successful completion of the alcohol driver education course in lieu of terms previously stated.

(4) Once a driver has been placed on "probation" by the department, he shall not be considered for probation again until a lapse of two (2) years from the ending date of any previous probation period granted, whether served or not.

Section 7. Any driver who holds a valid driver's license from another licensing jurisdiction and desires to become a valid license holder in Kentucky, upon establishing residency in this state, but has a driving record of two (2) or more convictions for moving violations within the preceding two (2) years, may be considered for an operator's license in Kentucky. However, such person must not be under suspension or revocation by any state at the time of his application in Kentucky. This driver applicant may be required to appear for an interview, as outlined in Section 4(1), and may be required by the department to successfully complete a driver improvement clinic, as outlined in Section 4(2), as a prerequisite to obtaining a permanent Kentucky operator's license.

Section 8. Whenever a conviction report is used for a suspension or probation, it shall never be used for an additional suspension. It may be used to show that the driver has previously been suspended on his record.

Section 9. No person's driving right will be suspended under any section of this regulation without his first being offered a hearing.

ADOPTED: March 14, 1975
 APPROVED: JOHN C. ROBERTS, Secretary
 RECEIVED BY LRC: April 14, 1975 at 2:54 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Bureau of Vehicle Regulation, State Office Building, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
 Bureau of Vehicle Regulation
 (601 KAR 13:030)

RELATES TO: KRS 186.560

PURSUANT TO: KRS 186.400, 13.082

SUPERSEDES: PSfty-DI-13

NECESSITY AND FUNCTION: The purpose of this regulation is to establish an Alcohol Driver Education Clinic to effec-

tuates the policy set out in KRS 186.560(4). This regulation also requires a reasonable fee to defray the cost of operating the clinic.

Section 1. The department will set up and conduct alcohol driver education clinics to effectuate the policy set out in KRS 186.560(4).

Section 2. Once the department had determined in accordance with the provisions of KRS 186.560(4) that a licensee is eligible to take part in an alcohol driver education clinic, he will be notified by mail to appear for an interview before a driver improvement officer for the purpose of enrollment in such a clinic. Failure to appear at the interview without good cause will be considered tantamount to failure to satisfactorily complete the clinic.

Section 3. Upon enrollment in an alcohol driver education clinic, the licensee shall pay a fee of twenty-five dollars (\$25) to defray the costs of setting up and conducting the clinic.

O. B. ARNOLD, Commissioner

ADOPTED: March 17, 1975

APPROVED:

JOHN C. ROBERTS, Secretary

RECEIVED BY LRC: April 14, 1975 at 2:54 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Bureau of Vehicle Regulation, State Office Building, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
(602 KAR 1:015)

RELATES TO: KRS 183.530 to 183.620

PURSUANT TO: KRS 183.024, 13.082

NECESSITY AND FUNCTION: This regulation sets forth the procedures for applying for a charter permit to engage in the air transportation of persons or property in intrastate commerce for hire on an unscheduled basis and not between fixed points.

Section 1. Applicability. The application procedures set forth in this regulation shall apply to all persons who transport or seek to transport persons or property in intrastate commerce for hire on unscheduled service and not between fixed points.

Section 2. No person shall engage in the air transportation as a charter operator unless he shall first obtain a permit from the department pursuant to this regulation of the department.

Section 3. Application for charter permits. Applications for a charter permit shall be filed in duplicate, on forms provided by the department, with the Director, Division of Aeronautics and Airport Zoning, Department of Transportation, Frankfort, Kentucky 40601.

Section 4. Upon receipt of the application, the Director, Division of Aeronautics and Airport Zoning, Department of Transportation shall cause notice of the application to be given by mail to the following who may have an interest in the application:

- (1) All air common carriers;
- (2) All holders of charter permits;
- (3) All applicants for charter permits; and
- (4) Any other person deemed by the department to have an interest in such application.

Section 5. If no objection is filed with the Director, Division of Aeronautics and Airport Zoning, Department of Transportation within thirty (30) days of the mailing of the notice in Section 4 of this regulation, the secretary may by order grant or deny the application in whole or part and upon such terms and conditions as the public interest may require.

Section 6. Petition for reconsideration. (1) If an applicant is aggrieved by the action of the department pursuant to Section 5 of this regulation he may file a petition for reconsideration and request a hearing. The petition for reconsideration shall be filed in duplicate with the Director, Division of Aeronautics and Airport Zoning, Department of Transportation, Frankfort, Kentucky and shall conform to the provision of subsection (2) below.

(2) Contents of petition. A petition for reconsideration and hearing shall state briefly and specifically, the matters of record alleged to have been erroneously decided, the ground relied upon, and the relief sought. If the petition is based, in whole or in part, on allegations as to the consequences which would result from the secretary's order, the basis of such allegations shall be set forth. If the petition is based, in whole or in part, on new matter, such new matter shall be set forth, accompanied by a statement to the effect that petitioner, with due diligence, could not have known or discovered such new matter prior to the date the case was submitted for decision. Unless otherwise directed by the secretary upon a showing of unusual or exceptional circumstances, petitions for reconsideration, rehearing or reargument or answers thereto which exceed twenty-five (25) pages (including appendices) in length shall not be accepted for filing by the

Director, Division of Aeronautics and Airport Zoning.

(3) Notice of petition. Notice of the petition shall be given to all people named in Section 3 of this regulation.

(4) Successive petitions. A successive petition for rehearing, reargument, or reconsideration filed by the same party or parties and upon substantially the same ground as a former petition which has been considered or denied by the secretary will not be entertained.

Section 7. If an objection to the application is filed by any person who is given notice under Section 4 of this regulation or a petition for reconsideration and a hearing requested under Section 6, then the secretary shall set the application for a hearing in accordance with 602 KAR 1:020.

JOHN C. ROBERTS, Commissioner

ADOPTED: March 17, 1975

RECEIVED BY LRC: April 14, 1975 at 2:52 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Aeronautics and Airport Zoning, Department of Transportation, 421 Ann Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
(602 KAR 20:010)

RELATES TO: KRS 183.090

PURSUANT TO: KRS 183.024, 13.082

SUPERSEDES: KAV-1a

NECESSITY AND FUNCTION: The purpose of this regulation is to define certain terms that are used in the regulations of the department relating to airport inspection.

Section 1. "Landing area designation" means a certificate of approval of the safety and adequacy of an airport facility by the Department of Transportation. A landing area designation may limit the use of the airport to airplanes, rotorcraft or both. It may set forth other restrictions on its use in accordance with the regulations of the department.

Section 2. Airport Terms: (1) "Primary surface" means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point of the primary surface is the same as the elevation of the nearest point of the runway centerline.

(2) "Nonprecision instrument runway" means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment for which a straight-in nonprecision instrument approach procedure has been approved, or planned, and for which no precision approach facilities are planned, or indicated on a FAA planning document.

(3) "Precision instrument runway" means a runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated by a FAA approved layout plan.

(4) "Approach surface" means that area extending from the end of the primary surface in an inclined plane and increasing in elevation at a given ratio of horizontal to vertical feet.

(5) "Heliport" means an airport used exclusively or intended to be used for the landing and takeoff of helicopters.

(6) "Visual runway" means a runway intended solely for the operation of aircrafts using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on Federal Aviation Administration layout plan.

(7) "Clear zone" is an area at ground level which begins at the end of each primary surface and extends with the width of each approach surface to terminate directly below each approach surface slope at the point or points where the slope reaches a height of fifty (50) feet above the elevation of the runway or fifty (50) feet above the terrain at the outer extremity of the clear zone, whichever distance is shorter.

Section 3. Terms that relate to aircraft. (1) "Rotorcraft" means a heavier-than-air craft that depends principally for its support in flight on lift generated by one or more rotors.

(2) "Airplane" means an engine-driven fixed-wing aircraft heavier than air, that is supported in flight by the dynamic reaction of air against its wings.

(3) "Helicopter" means a rotorcraft that, for its horizontal motion, depends principally on its engine-driven rotors.

Section 4. General Definitions. "Flight visibility" means the average forward horizontal distance from the cockpit of an aircraft in flight at which prominent unlighted objects may be seen and identified by day and prominent lighted objects may be seen and identified by night.

JOHN C. ROBERTS, Secretary

ADOPTED: April 10, 1975

RECEIVED BY LRC: April 15, 1975 at 1:57 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Aeronautics and Airport Zoning, Department of Transportation, 421 Ann Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
(602 KAR 20:020)

RELATES TO: KRS 183.090
PURSUANT TO: KRS 183.024, 13.082
SUPERSEDES: KAV-1a

NECESSITY AND FUNCTION: The Department of Transportation has the responsibility to inspect and to determine the safety and adequacy of all airport facilities in this state; this regulation establishes the procedures for the issuance of a certificate of approval for the use and operation of an airport facility and other matters related to the issuance of a Landing Area Designation.

Section 1. Any airport in this state which has not been issued a landing area designation pursuant to the regulations of the department, is hereby declared unfit as an airport facility, and such airport facility shall not be used by any person for the taking off and landing of aircrafts, nor shall the person who owns or controls such airport permit any person to use the facility for the landing or taking off of aircraft.

Section 2. Each airport facility in this state shall be inspected by an authorized representative of the Department of Transportation, Division of Aeronautics and Airport Zoning who shall issue a landing area designation to an airport facility that meets the criteria set out in the regulations of the department related to airport inspection.

Section 3. (1) Any landing area designation issued by the department shall be valid for a period ending on the following July 1st.

(2) The department may revoke a landing area designation at any time when it is found that an airport no longer meets the standards and criteria set forth in the regulations of the department.

Section 4. The person who owns or controls an airport facility shall display the landing area designation in a conspicuous place at his principal office at the airport at all times.

Section 5. All airports in this state are classified as set forth in the regulations relating to KRS 183.090 and such classification shall be stated on the landing area designation.

JOHN C. ROBERTS, Secretary

ADOPTED: April 10, 1975

RECEIVED BY LRC: April 15, 1975 at 1:57 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Aeronautics and Airport Zoning, Department of Transportation, 421 Ann Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
(602 KAR 20:030)

RELATES TO: KRS 183.090, 183.110
PURSUANT TO: KRS 183.024, 13.082
SUPERSEDES: KAV-1a

NECESSITY AND FUNCTION: This regulation sets forth the safety and adequacy standards applicable to all airports that are required before the issuance of a Landing Area Designation.

Section 1. All airports regardless of class shall provide the following basic facilities that are conspicuous under normal flight visibility conditions:

(1) Wind sock, wind tee or other approved type of wind indicator; and

(2) An international circle which shall be maintained in conformity with current Federal Aviation Administration standards; and

(3) A sufficient number of markers to make plainly discernable the turf runway useable or in use; or

(4) A paved runway or landing area shall be marked in accordance with Federal Aviation Administration standards.

Section 2. An airport that operates a runway or landing area lighting system shall comply with current Federal Aviation Administration standards.

Section 3. The approach surface shall be free of obstructions and hazards that are not otherwise allowed by law.

Section 4. Taxiways are optional to any class of airport; however, should any airport provide a taxiway, then such taxiway shall meet the standard set forth in the regulation related to that class of airport.

Section 5. All airports that maintain aircraft servicing facilities shall provide:

(1) Fire extinguishers in sufficient number and sizes to control probable fires.

(2) Telephones maintained in proper operating conditions.

Section 6. The owner of an airport shall have control of the clear zones and in addition no fences or other obstructions on the ground shall be located within 200 feet of the

ends of a runway.

Section 7. Airports in this state used primarily by airplanes shall be classified according to the runway with the greatest length, and the airport shall meet all standards related to that class of airport as it may pertain to the classifying runway. However, if an airport has other runways of a shorter length, then such runways shall meet the standards in regulation related to airport inspection for that class of airport that have runways of comparable length.

JOHN C. ROBERTS, Secretary

ADOPTED: April 10, 1975

RECEIVED BY LRC: April 15, 1975 at 1:57 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Aeronautics and Airport Zoning, Department of Transportation 421 Ann Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
(602 KAR 20:040)

RELATES TO: KRS 183.090
PURSUANT TO: KRS 183.024, 13.082
SUPERSEDES: KAV-1a

NECESSITY AND FUNCTION: This regulation sets forth the minimum airport safety standards for a Landing Area Designation as a Landing Strip.

Section 1. An airport classified as a landing strip (LS) is any airport in this state that does not meet the criteria for any other class of airports because of its runway length and width, primary surface, clear zone, or approach surface. Any criteria classified as a landing strip shall meet the minimum criteria set forth in this regulation.

Section 2. The person who owns or controls a landing strip shall have control over a land area of at least 300 feet wide centered on and have the same landing area length as the primary surface.

Section 3. The primary surface shall be at least 150 feet wide and shall be centered on the landing area.

Section 4. The approach surface shall be at a ratio of twenty (20) to one (1) for a minimum horizontal distance of 1,000 feet or for such a distance from the primary surface that a terrain clearance of fifty (50) vertical feet is attained. The minimum width of the approach surface shall be 150 feet.

Section 5. A landing strip is not required to have a paved runway or taxiways.

Section 6. The Department of Transportation may restrict the use of a landing strip by noting such restriction of the landing area designation to use by a person or class of people or limit the use of the airport to a certain type of aircraft in the interest of safety of air navigation in this state.

Section 7. In determining the restriction that may be issued under Section 6 of this regulation, the department shall consider the length of the runway and types of aircraft that may utilize the landing strip.

JOHN C. ROBERTS, Secretary

ADOPTED: April 10, 1975

RECEIVED BY LRC: April 15, 1975 at 1:56 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Aeronautics and Airport Zoning, Department of Transportation, 421 Ann Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
(602 KAR 20:050)

RELATES TO: KRS 183.090
PURSUANT TO: KRS 183.024, 13.082
SUPERSEDES: KAV-1a

NECESSITY AND FUNCTION: This regulation sets forth the minimum airport safety standards for a Landing Area Designation as a Basic Utility Stage I.

Section 1. An airport classified as a basic utility stage I (BI) airport has a runway length of 2,500 feet to 3,400 feet in length and shall meet the criteria set forth in this regulation.

Section 2. The person who owns or controls a basic utility stage I airport shall have control over a land area of at least 450 feet wide centered on the landing area and have the same length as the primary surface.

Section 3. The primary surface of the airport with a visual runway shall be at least 250 feet wide or at least 500 feet for an airport with a nonprecision instrument runway.

Section 4. The runway pavement shall be at least sixty (60) feet in width.

Section 5. Any taxiway shall be at least thirty (30) feet in width.

Section 6. The approach surface shall be at a ratio of twenty (20) to one (1) for a minimum horizontal distance of 5,000 feet from the primary surface. The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of 1,250 feet for that end of a runway with only visual approaches or 2,000 feet with a nonprecision instrument approach.

JOHN C. ROBERTS, Secretary

ADOPTED: April 10, 1975

RECEIVED BY LRC: April 15, 1975 at 1:56 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Aeronautics and Airport Zoning, Department of Transportation, 421 Ann Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
(602 KAR 20:060)

RELATES TO: KRS 183.090

PURSUANT TO: KRS 183.024, 13.082

SUPERSEDES: KAV-1a

NECESSITY AND FUNCTION: This regulation sets forth the minimum airport safety standards for a Landing Area Designation as a Basic Utility Stage II.

Section 1. An airport classified as a basic utility stage II (BII) has a runway length of 3,100 feet to 4,200 feet and shall meet the criteria set forth in this regulation.

Section 2. The person who owns or controls a basic utility stage II airport shall have control over a land area at least 450 feet wide centered on the landing area and have the same length as the primary surface.

Section 3. The primary surface of the airport with a visual runway shall be at least 250 feet wide, or at least 500 feet for an airport with a nonprecision instrument runway.

Section 4. The runway pavement shall be at least seventy-five (75) feet in width.

Section 5. Any taxiway shall be at least thirty (30) feet in width.

Section 6. The approach surface shall be at a ratio of twenty (20) to one (1) for a minimum horizontal distance of 5,000 feet from the primary surface. The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of 1,250 feet for that end of a runway with only visual approaches or 2,000 feet with a nonprecision instrument approach.

JOHN C. ROBERTS, Secretary

ADOPTED: April 10, 1975

RECEIVED BY LRC: April 15, 1975 at 1:56 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Aeronautics and Airport Zoning, Department of Transportation, 421 Ann Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
(602 KAR 20:070)

RELATES TO: KRS 183.090

PURSUANT TO: KRS 183.024, 13.082

SUPERSEDES: KAV-1a

NECESSITY AND FUNCTION: This regulation sets forth the minimum airport safety standards for a Landing Area Designation as a General Utility.

Section 1. An airport classified as a general utility (G) airport has a runway which is from 3,800 feet to 4,200 feet in length and shall meet the criteria set forth in this regulation.

Section 2. The person who owns or controls a general utility airport shall have control over a land area at least 500 feet in width centered on the landing area and have the same length as the primary surface.

Section 3. The primary surface of the airport with a visual runway shall be at least 250 feet wide or at least 500 feet for an airport with a nonprecision instrument runway.

Section 4. The runway pavement shall be from seventy-five (75) to 100 feet in width.

Section 5. Any taxiway shall be at least forty (40) feet in width.

Section 6. The approach surface shall be at a ratio of twenty (20) to one (1) for a minimum horizontal distance of 5,000 feet from the primary surface. The inner edge of the approach surface is the same width as the primary surface and

it expands uniformly to a width of 1,250 feet for that end of a runway with only visual approach or 2,000 feet with a nonprecision instrument approach.

JOHN C. ROBERTS, Secretary

ADOPTED: April 10, 1975

RECEIVED BY LRC: April 15, 1975 at 1:55 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Aeronautics and Airport Zoning, Department of Transportation, 421 Ann Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
(602 KAR 20:080)

RELATES TO: KRS 183.090

PURSUANT TO: KRS 183.024, 13.082

SUPERSEDES: KAV-1a

NECESSITY AND FUNCTION: This regulation sets forth the minimum airport safety standards for a Landing Area Designation as a Basic/General Transport.

Section 1. An airport classified as a basic/general transport (BT or GT) airport has a runway which is from 4,500 feet to 7,000 feet in length and shall meet the criteria set forth in this regulation.

Section 2. The owner of a basic/general transport airport which has a precision instrument runway utilizing an instrument landing system shall have control over a land area at least 1,500 feet wide centered on the landing area and have the same length as the primary surface, otherwise the owner shall have control over a land area of 600 feet and 700 feet in width centered on the landing area and have the same length as the primary surface for a basic transport and general transport airport respectively.

Section 3. (1) The basic/general transport shall have a primary surface at least 500 feet or as otherwise provided in this section.

(2) If the basic/general transport airport has a precision instrument runway or if it has a nonprecision instrument runway with visibility minimums of three-fourths (3/4) mile, then the primary surface shall be at least 1,000 feet wide.

Section 4. The runway pavement shall be from 100 to 150 feet in width.

Section 5. Any taxiway shall be at least sixty (60) feet in width.

Section 6. The inner edge of the approach surface is the same width as and begins at the end of the primary surface:

(1) It expands uniformly to a width of 1,500 feet and extends for a horizontal distance of 5,000 feet at a slope of twenty (20) to one (1) for runways with a visual approach; or

(2) It expands uniformly to a width of 3,500 feet for that end of a nonprecision instrument runway, having visibility minimums greater than three-fourths (3/4) of a statute mile or 4,000 feet with visibility minimums as low as three-fourths (3/4) of a statute mile and extends for a horizontal distance of 10,000 feet at a slope of thirty-four (34) to one (1); or

(3) It expands uniformly to a width of 16,000 feet and extends for a horizontal distance of 10,000 feet at a slope of fifty (50) to one (1) with an additional 40,000 feet at a slope of forty (40) to one (1) for all precision instrument runways.

JOHN C. ROBERTS, Secretary

ADOPTED: April 10, 1975

RECEIVED BY LRC: April 15, 1975 at 1:55 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Aeronautics and Airport Zoning, Department of Transportation, 421 Ann Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
(602 KAR 20:090)

RELATES TO: KRS 183.090

PURSUANT TO: KRS 183.024, 13.082

SUPERSEDES: KAV-1a

NECESSITY AND FUNCTION: This regulation sets forth the minimum airport safety standards for a Landing Area Designation as a Scheduled Air Carrier.

Section 1. An airport classified as a scheduled air carrier airport has a runway which is 6,000 feet or greater in length and shall meet the criteria set forth in this regulation.

Section 2. The person who owns or controls a scheduled air carrier airport shall have control over a land area which is 1,500 feet or greater in width and centered on the landing area and have the same length as the primary surface.

Section 3. (1) The scheduled air carrier airport shall have a primary surface at least 500 feet or as otherwise provided in this section.

(2) If the scheduled air carrier airport has a precision instrument runway or if it has a nonprecision instrument runway with visibility minimums of three-fourths (3/4) mile, then the primary surface shall be at least 1,000 feet wide.

Section 4. The runway pavement shall be 150 feet or greater in width.

Section 5. Any taxiway shall be from fifty (50) feet to seventy-five (75) feet in width.

Section 6. The inner edge of the approach surface is the same width as and begins at the end of the primary surface:

(1) It expands uniformly to a width of 1,500 feet and extends for a horizontal distance of 5,000 feet at a slope of twenty (20) to one (1) for runways with a visual approach; or

(2) It expands uniformly to a width of 3,500 feet for that end of a nonprecision instrument runway, having visibility minimums greater than three-fourths (3/4) of a statute mile or 4,000 feet with visibility minimums as low as three-fourths (3/4) of a statute mile and extends for a horizontal distance of 10,000 feet at a slope of thirty-four (34) to one (1); or

(3) It expands uniformly to a width of 16,000 feet and extends for a horizontal distance of 10,000 feet at a slope of fifty (50) to one (1) with an additional 40,000 feet at a slope of forty (40) to one (1) for all precision instrument runways.

JOHN C. ROBERTS, Secretary

ADOPTED: April 10, 1975

RECEIVED BY LRC: April 15, 1975 at 1:58 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Aeronautics and Airport Zoning, Department of Transportation, 421 Ann Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
Kentucky Airport Zoning Commission
(602 KAR 50:020)

RELATES TO: KRS 183.861 to 183.990

PURSUANT TO: KRS 13.082, 183.861

NECESSITY AND FUNCTION: To create the position of Administrator of the Kentucky Airport Zoning Commission and to define his duties and authority such that the Office of the Kentucky Airport Zoning Commission may be kept open continuously for the transaction of business and to expedite the business of the commission for the convenience of the public.

Section 1. There shall be appointed, upon order of the commission, an individual who shall be the administrator of the commission.

Section 2. It shall be the duty of the administrator to maintain a public file in the offices of the Department of Transportation, Division of Aeronautics and Airport Zoning showing airport zoning maps of each public airport within the state and the area around such airport over which it has assumed jurisdiction for zoning purposes and to maintain a public file showing any regulations adopted pertaining to land uses and such shall constitute public notice of same.

Section 3. The administrator shall have the authority and power, subject to the review of the commission, to: (1) Reject, approve and disapprove applications for permits, as set forth in the regulations of the commission;

(2) Conduct investigations of a violation of the regulations of the commission;

(3) Conduct aeronautical studies of applications for permits;

(4) Direct the preparation of all documents, papers, and evidence necessary to enforcement of the statutes and regulations of the commission pursuant to KRS 183.861, 183.873 and 183.990;

(5) Cause notices to be given of all hearings of the commission that are required by statute or regulation; and

(6) Perform all duties and functions that may hereinafter be delegated to the administrator either by the regulations of the commission or its orders.

BILLY PAXTON, Chairman
Kentucky Airport Zoning Commission

Secretary, Department of Transportation

ADOPTED: February 21, 1975

RECEIVED BY LRC: April 3, 1975 at 1:34 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary, Department of Transportation, State Office Building, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
Kentucky Airport Zoning Commission
(602 KAR 50:040)

RELATES TO: KRS 183.865

PURSUANT TO: KRS 13.082, 183.861

SUPERSEDES: KAV-16

NECESSITY AND FUNCTION: To regulate the use of land within airports of the Commonwealth within the jurisdiction and function of the commission.

Section 1. Notwithstanding the provisions of any ordinance of a city or county legislative body pursuant to the authority of KRS Chapters 100 or 147, the following uses shall be allowed on the land within an airport: runways; taxiways; aircraft ramps; navigational aids and signals; safety equipment; aircraft terminals; cargo and service buildings; ramps; gates; hangars; aircraft sales, leasing, repair, and storage; automobile parking, garage and service facilities; motels and restaurants.

Section 2. Notwithstanding the provisions of any ordinance of a city or county legislative body pursuant to the authority of KRS Chapters 100 or 147, the commission may allow the following additional uses, which do not constitute a hazard to air navigation; any commercial, industrial or residential use, including but not limited to governmental agencies and operation, banks and financial institutions, retail and wholesale stores, warehouses and storage facilities; manufacturing facilities and operations; offices and service facilities upon the issuance of an airport land use permit by order of the commission.

Section 3. Any activity or structure which lawfully existed before the adoption or amendment of the zoning regulations of the commission, but does not conform to all of the regulations which pertain to the use of land within public airports may continue as a nonconforming use.

Section 4. (1) A request for an airport land use permit shall be filed with the administrator and it shall state: the petitioners name, address, and telephone number, the name of the public airport concerned, a description of the dimensions of any structure proposed to be erected; and a statement of reasons why the proposed use and structure will not constitute a hazard to air navigation.

(2) The petitioner shall annex to the request a copy of the airport zoning map for the airport concerned with the site of the proposed use or structure located thereon.

(3) The petition shall be considered at the next meeting of the commission and the commission shall issue its written order either granting the petition, denying the petition or it may grant the petitions upon conditions that would eliminate any hazard to air navigation.

(4) A copy of the order shall be mailed to the petitioner.

(5) The petitioner may request a hearing within thirty (30) days of an order denying a petition or granting a petition upon conditions.

(6) The petitioner who requests a hearing shall be notified of the time and place of the hearing to consider the petition.

(7) The hearing shall be conducted in accordance with the regulations of the commission.

BILLY PAXTON, Chairman
Kentucky Airport Zoning Commission
Secretary, Department of Transportation

ADOPTED: February 21, 1975

RECEIVED BY LRC: April 3, 1975 at 1:34 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary, Department of Transportation, State Office Building, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
Kentucky Airport Zoning Commission
(602 KAR 50:050)

RELATES TO: KRS 183.867

PURSUANT TO: KRS 13.082, 183.861, 183.867(3)

SUPERSEDES: KAV-10

NECESSITY AND FUNCTION: To outline the procedure for the adoption of the airport zoning regulations related to existing airports under the jurisdiction of the commission, and to provide for the procedures for revising airport zoning maps.

Section 1. Every owner of a public airport in the state, may file with the administrator of the Kentucky Airport Zoning Commission, a map showing the airport and the area surrounding the airport used for approach and landing purposes or an airport master plan.

Section 2. If an owner of a public airport fails to file a map as provided under Section 1, then the administrator shall cause an appropriate map to be prepared, showing the airport and the area surrounding the airport used for approach and landing purposes.

Section 3. The administrator shall thereafter designate on such map or airport master plan, prepared or filed under Sections 1 and 2 above, by reference to the regulations and advisory circulars of the Federal Aviation Administration concerning the area required for the safe maneuvering approach and landing of aircrafts, and designate the area over which jurisdiction is assumed for zoning purposes pursuant to regulations of the commission.

Section 4. Thereafter the airport zoning map prepared pur-

suant to Section 3, shall be submitted to the commission for its adoption by order of the commission. If the airport zoning map is adopted by order of the commission, the date of its adoption shall be noted on the airport zoning map, and the original shall be kept in the office of the administrator pursuant to KRS 183.867(3) and the regulations of the commission.

Section 5. (1) Every public airport for which an airport zoning map has been adopted by the commission, shall inform the administrator of any changes in the boundaries, runways, and taxiways either by filing a revised map or furnishing the administrator with information sufficient to cause a revised map to be prepared.

(2) The administrator shall thereafter designate on such revised map prepared or filed under subsection (1), by reference to the regulations and advisory circulars of the Federal Aviation Administration concerning the area required for the safe maneuvering approach and landing of aircrafts, and designate the area over which jurisdiction is to be assumed for zoning purposes pursuant to regulations of the commission.

(3) The revised map prepared under this section shall constitute the airport zoning map for the public use airport upon its adoption by order of the commission and shall supersede any airport zoning map heretofore adopted by the commission.

Section 6. The administrator shall notify any local zoning body, whose jurisdiction is limited by the zoning jurisdiction of the commission, by sending to the local zoning bodies, a copy of the airport zoning map adopted by order of the commission.

Section 7. The local zoning bodies may retain jurisdiction of zoning in such areas as to all other matters, however the local zoning bodies shall not adopt any ordinances or regulations that conflict with the jurisdiction of the commission in such areas as it pertains to the safe and proper use of the airport involved.

Section 8. Every airport zoning map heretofore adopted by the commission shall remain in full force and effect until revised pursuant to the regulations of the commission.

BILLY PAXTON, Chairman
Kentucky Airport Zoning Commission
Secretary, Department of Transportation

ADOPTED: February 21, 1975

RECEIVED BY LRC: April 3, 1975 at 1:35 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary,
Department of Transportation, State Office Building, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
Kentucky Airport Zoning Commission
(602 KAR 50:080)

RELATES TO: KRS 183.869, 183.870, 183.871

PURSUANT TO: KRS 13.082, 183.861

NECESSITY AND FUNCTION: To outline the information that is required of an applicant to alter or construct a structure which is necessary for the administrator and commission to make a determination of whether a permit should be issued and to delegate the responsibility for preparing the appropriate form to the administrator.

Section 1. Definitions. (1) "The person who intends to construct or alter a structure" and "applicant" means the person who will own or have control over the completed structure.

(2) "Certification by the applicant" means that the certification shall be made by the individual who is the: one who will own or control the structure when completed; or a partner in a partnership; or the president or authorized agent of a corporation, company or association; or authorized agent of a body politic; or legally designated representative of a trustee, receiver, or assignee.

Section 2. The administrator shall cause to be prepared a form to be known as the "Application for Permit to Alter or Construct a Structure" which shall require the following information of the applicant:

(1) The name and address and telephone number of the person who intends to construct or alter a structure.

(2) Whether structure is to be temporary or permanent.

(3) Whether the permit is to construct a new structure or alter an existing structure.

(4) The nature of the structure and a complete description of it.

(5) The location of the proposed or existing structure by its latitude and longitude in degrees, minutes, and seconds.

(6) The elevation of the ground level of the proposed or existing structure above sea level.

(7) The nearest city and post office to the site.

(8) The distance and direction from the nearest city, if the site is located outside the corporate limits of a city.

(9) Name of the nearest public airport or aircraft landing area.

(10) Distance and direction from the boundary of the nearest public airport or aircraft landing area.

(11) The date the proposed construction or alteration of a

structure is to commence and the date that work will be completed.

(12) The over-all height in feet of the completed structure above the ground level or the mean water level.

(13) The applicant should state whether the subject structure will be marked in accordance with the applicable provisions of 602 KAR 50:100, Section 1, and whether the subject structure will be lighted in accordance with the provisions of 602 KAR 50:100, Section 1.

(14) State whether "Notice of Construction or Alteration" (Form 7460-1) has been filed with the Federal Aviation Administration for airspace clearance and the date of filing.

(15) Certification by the applicant that all statements in the application are true, complete and correct to the best of the applicant's knowledge and belief.

(16) The signature and title of the applicant authorized to make the application and certification with the date of the signing thereof.

(17) The form prepared by the administrator shall also include a space for the use of the commission which indicates whether the application was approved or disapproved, date thereof, and the signature of the chairman.

Section 3. There shall be attached to the "Application for Permit to Alter or Construct a Structure:"

(1) A 7.5-minute quadrangle topographical map prepared by the U. S. Geological Survey and the Kentucky Geological Survey with the location of the structure which is the subject of the application indicated thereon. (The 7.5 minute quadrangle may be obtained from the Kentucky Geological Survey, Department of Mines and Minerals, Lexington, Kentucky 40506.)

(2) Copies of Federal Aviation Administration Applications (FAA Form 7460-1) or any orders issued by and received from the Chief Traffic Branch, FAA area office.

(3) If the applicant has indicated that the structure will not be marked or lighted in accordance with the regulations of the commission, his request for a determination by the commission that the marking and lighting is not necessary, and the applicant shall specifically state the reasons that absence of marking and lighting will not impair the safety of air navigation.

(4) If the structure to be constructed or altered is for the purpose of radio transmitting, then the applicant shall attach a true copy of the application for a license from the Federal Communications Commission.

BILLY PAXTON, Chairman
Kentucky Airport Zoning Commission
Secretary, Department of Transportation

ADOPTED: February 21, 1975

RECEIVED BY LRC: April 3, 1975 at 1:36 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary,
Department of Transportation, State Office Building, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Division of Aeronautics and Airport Zoning
Kentucky Airport Zoning Commission
(602 KAR 50:090)

RELATES TO: KRS 183.869, 183.870, 183.871

PURSUANT TO: KRS 13.082, 183.861

SUPERSEDES: KARV-12

NECESSITY AND FUNCTION: This regulation outlines rules governing procedure that a person must follow in order to obtain a permit to erect or alter a structure, and to define the authority of the Administrator of the Kentucky Airport Zoning Commission to reject or approve applications for permits and provide for the rules of practice for the processing of an application for a permit.

Section 1. (1) Every person who is required by the regulations of this commission to obtain a permit to construct or alter a structure shall send two (2) executed copies of the Form DT 56-50, Application for Permit to Alter or Construct a Structure, to the Administrator of the Kentucky Airport Zoning Commission, Division of Aeronautics and Airport Zoning, Frankfort, Kentucky 40601.

(2) The application must be submitted at least thirty (30) days prior to the date the proposed construction or alteration is to begin for structures under 200 feet above ground level; and ninety (90) days prior to date for structures 200 feet or more above ground level. The completed height of the structure above ground level determines the time of filing of the application.

Section 2. (1) Upon receipt of the application, the administrator shall review the application to determine whether all information that is required has been submitted.

(2) If the application is incomplete, the administrator shall reject the application and return the application to the person submitting the application along with a statement of the information that is required by the commission for a complete application.

Section 3. (1) If the application is complete, then the administrator shall conduct an aeronautical study for the purpose of determining whether to recommend to the commission that a permit be issued.

(2) The administrator may approve an application for a permit to alter or construct a structure when he has deter-

mined that the structure would be shielded by existing structures of a permanent and substantial character, or by natural terrain or topographic features of equal or greater height and would be located in a congested area of a city or unincorporated area where it is evident beyond a reasonable doubt that the proposed structure so shielded will not adversely affect the safety of air navigation.

(3) Otherwise, the administrator shall submit the application along with his recommendation for approval or disapproval to the commission at its next meeting.

Section 4. (1) In the event an application for a permit is disapproved by order of the commission, the applicant may petition the commission for a hearing within thirty (30) days of the date action was taken on the application.

(2) The petition for a hearing must contain in a full statement of the reasons that the application should be approved, and shall be filed with the Administrator, Kentucky Airport Zoning Commission, Division of Aeronautics and Airport Zoning, Frankfort, Kentucky 40601.

Section 5. (1) The administrator shall fix a time and place for a hearing on the applicant's petition for a review of the disapproval of an application by the commission or administrator and shall give notice of the time and place of the hearing by mail, not less than twenty (20) days before the date of the hearing to the petitioner and to any party deemed by the commission to have an interest in the proceedings.

(2) The airport board, chief executive of a city and county judge, or any person who owns an airport in the proximity of the site of the proposed construction or alteration of a structure shall be deemed an interested party and shall receive notice of the hearing.

Section 6. The hearing before the commission shall be conducted in accordance with the regulation of the commission governing the conduct of hearings.

BILLY PAXTON, Chairman
Kentucky Airport Zoning Commission
Secretary, Department of Transportation

ADOPTED: February 21, 1975

RECEIVED BY LRC: April 3, 1975 at 1:36 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary,
Department of Transportation, State Office Building, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 3:170)

RELATES TO: KRS 156.074

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

SUPERSEDES: SBE 21.330

NECESSITY AND FUNCTION: To establish terms and means by which the school districts may purchase educational television receivers, stands, and related equipment cooperatively.

Section 1. The Division of Pupil Transportation, State Department of Education, shall prepare Kentucky minimum specifications for educational television receivers and stands for approval by the State Board of Education and shall keep said specifications up to date by revision whenever experience, manufacturing techniques, and product improvement indicate that revision and up-dating is necessary.

Section 2. The State Board of Education shall approve the Kentucky minimum specifications for educational television receivers and stands as a separate document. Copies of this document containing the detailed specifications for educational television receivers and stands shall be kept on file in the Division of Pupil Transportation, State Department of Education, Frankfort, Kentucky. This document shall be made available in reasonable numbers to those persons and business firms that have need for same.

Section 3. All manufacturers, their agents or representatives that propose to sell educational television receivers and stands to the school districts of the Commonwealth of Kentucky shall provide the Division of Pupil Transportation current detailed specifications, test results, certifications, and advertising brochures on the television receivers and stands that they propose to offer for sale as meeting the current Kentucky minimum specifications for educational television receivers and stands.

Section 4. The Director of the Division of Pupil Transportation shall have the authority for approval of the types, makes, and models of educational television receivers and stands that meet the Kentucky minimum specifications for educational television sets and stands. Said director shall have the authority for approvals of "as equals," and shall have the authority to waive minor formalities.

Section 5. The Division of Pupil Transportation shall prepare, at least annually, a list of those educational television receivers and stands that are approved as meeting the current Kentucky minimum specifications for educational television receivers and stands. Said lists shall be made avail-

able in reasonable numbers to those persons or business firms that have need of same.

Section 6. The Division of Pupil Transportation shall develop the specifications and coordinate the districts' cooperative purchase of educational television equipment such as video tape records, playback units, and other items related to the expansion and improvement of the districts' educational television system capabilities when the number of requests for the cooperative purchase of a specific item would make it practical to establish a price contract.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:40 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
Division of Buildings and Grounds
(702 KAR 4:005)

RELATES TO: KRS 160.293

PURSUANT TO: KRS 156.070, 156.130, 156.160, 13.082

NECESSITY AND FUNCTION: To provide for school and community recreational facilities.

Section 1. Local boards of education are authorized to cooperate with a public agency for the purpose of developing and maintaining recreational facilities on school property.

Section 2. A copy of a proposed agreement shall be submitted to the Superintendent of Public Instruction for approval.

Section 3. All plans and specifications for facilities to be erected shall be in accord with State Board of Education regulations.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:54 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
Division of Buildings and Grounds
(702 KAR 4:010)

RELATES TO: KRS 162.060

PURSUANT TO: KRS 156.070, 156.130, 156.160, 13.082

SUPERSEDES: SBE 22.017 (1), (2)

NECESSITY AND FUNCTION: To provide information necessary for implementation of proposed school facility construction of the highest identified priority.

Section 1. A local board of education shall submit to the Superintendent of Public Instruction applications on forms provided by the State Board of Education for all proposed school construction projects. An application for each project containing the applicable information shall be submitted by the local district and a decision made by the Superintendent of Public Instruction within sixty (60) days.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:40 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
Division of Buildings and Grounds
(702 KAR 4:020)

RELATES TO: KRS 162.060

PURSUANT TO: KRS 156.070, 156.130, 156.160, 13.082

SUPERSEDES: SBE 22.017 (3), 22.021, 22.023

NECESSITY AND FUNCTION: To prepare plans and specifications for school building construction.

Section 1. After approval of an application on forms provided by the State Board of Education containing program and financial information, the architect shall prepare sketches of the proposed construction which upon approval of the local

board of education shall be submitted to the Superintendent of Public Instruction for review and approval.

Section 2. Upon approval of proposed sketches or program plans, the preliminary plans, outline specifications, and estimated cost shall be submitted to the Superintendent of Public Instruction for approval on forms provided by the State Board of Education.

Section 3. Preliminary plans shall include the type of construction, a general vicinity plan, and a plot plan which show the location of existing and proposed buildings, existing and proposed contour lines, utility lines and easements, driveways and highways, floor plan of building, preliminary design of mechanical, electrical and structural systems, sections through the building and elevations of the buildings. The architect shall include a one-fourth (1/4) inch scale drawing of all special areas with the preliminary plans. These drawings shall show all equipment proposed in each special area. After approval of preliminary plans, the local board of education may authorize the architect or engineer to prepare completed plans and specifications.

Section 4. Approval of the completed plans and specifications shall be given in writing by the Superintendent of Public Instruction prior to advertisement for bids. Completed plans and specifications shall include all the provisions required in the preliminary plans plus detailed information concerning site development, plumbing, heating, ventilation, electrical and structural design. The specifications shall provide for contract document, insurance, performance bonds, prevailing wage scale and technical specifications.

Section 5. Until such time that construction is finally completed and/or occupied by the local board of education, the contractors shall carry any and all insurance required by law, regulation and custom to hold the board safe from loss. Such insurance shall include but not be limited to liability, builders' risk, including the perils of fire and extended coverage, vandalism, and malicious mischief and such boiler and machinery insurance as may be required by the law or the contract documents. The architect shall attest to the board in writing the schedule of such coverage. In the event the board of education elects to carry a portion of the necessary insurance, a plan for such coverage shall be submitted to the Superintendent of Public Instruction for his approval.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:40 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
Division of Buildings and Grounds
(702 KAR 4:030)

RELATES TO: KRS 322.360, 156.160 (11)

PURSUANT TO: KRS 156.070, 156.130, 156.160, 13.082

SUPERSEDES: SBE 22.019, 22.025 (2)

NECESSITY AND FUNCTION: To provide a legal document of agreement concerning work to be done and the amount of pay to be received.

Section 1. A local board of education and a Kentucky registered architect or engineer shall negotiate and enter into a contract on forms provided by the State Board of Education prior to preparation of plans for remodeling, alterations or construction of school facilities. This contract between the local board of education and the architect or engineer shall be submitted to the Superintendent of Public Instruction and shall become effective upon approval.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:41 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
Division of Buildings and Grounds
(702 KAR 4:040)

RELATES TO: KRS 162.070

PURSUANT TO: KRS 156.070, 156.130, 156.160, 13.082

SUPERSEDES: SBE 22.025 (3) (4) (5), 22.027, 22.030, 22.035

NECESSITY AND FUNCTION: To provide information to confirm a contract which is in accord with the approved completed plans and specifications and to insure that the contract is completed in accord with the plans and specifications.

Section 1. A copy of the bids received based on approved plans and specifications with a copy of the proposed contract shall be submitted to the Superintendent of Public Instruction. No contract shall be awarded that is not in accord with the approved completed plans and specifications. The amount of the contract shall not exceed the funds approved by the Superintendent of Public Instruction for the proposed project. The local board of education shall submit to the Superintendent of Public Instruction a copy of the completed contract, a copy of the insurance documents and a copy of the performance and payment bond.

Section 2. (1) Changes in contract, working drawings, specifications, and contract documents, which are within the scope of the project may be approved. A copy of any change order issued in connection with the project must be in writing and signed by the architect or engineer, an authorized representative of the board of education, and the contractor. This document shall contain an explanation of the reasons for the change.

(2) Any such change order proposal involving an amount in excess of \$2,500 shall first be submitted for approval to the Superintendent of Public Instruction.

Section 3. The board of education shall withhold ten (10) percent of the contract price of the work until the work is substantially completed. Upon substantial completion of the work, the ten (10) percent retainage may be reduced to five (5) percent with certification of the architect or engineer and approval of the board of education. No part of the five (5) percent retainage shall be paid until the Superintendent of Public Instruction has made final inspection of the completed construction and approved the completed project in accord with the approved plans, specifications, and contract documents. The local board of education shall request the required inspection upon approval of the architects certification of substantial completion.

Section 4. (1) The architect shall furnish the local board of education the appropriate State Board of Education form with applicable information requesting final approval. The local board of education shall approve such form and forward to the Superintendent of Public Instruction a completed copy or a letter stating why the board does not agree that the construction is completed.

(2) A written statement approving the completion or a list of items to be completed will be given to the local board of education, with a copy to the architect or engineer. Written approval and authorization of the full payment of the contract will be given when the building project is completed according to plans and specifications and approved change orders.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:41 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
Division of Buildings and Grounds
(702 KAR 4:050)

RELATES TO: KRS 162.010

PURSUANT TO: KRS 156.070, 156.130, 156.160, 13.082

SUPERSEDES: SBE 22.025 (1), 22.052, 22.055, 22.060, 22.065

NECESSITY AND FUNCTION: To provide for the location of school buildings in accordance with the program approved by the Superintendent of Public Instruction.

Section 1. The Superintendent of Public Instruction shall cause an inspection to be made of each proposed school building site or site addition and shall approve each site. All school sites shall be in agreement with the educational facilities survey recommendations as approved by the Superintendent of Public Instruction and shall have the approval of the Superintendent of Public Instruction prior to initiation of an application for approval of a construction project.

Section 2. The minimum size of school sites shall be as follows:

(1) Elementary school: Five (5) acres plus an additional acre for each 100 or fraction of 100 students of anticipated enrollment.

(2) Middle school, junior high school and high school: Ten (10) acres plus an additional acre for each 100 or fraction of 100 students of anticipated enrollment.

Section 3. Prior to contracting for the purchase of a school site, the following information shall be provided to and approved by the Superintendent of Public Instruction:

(1) A fee simple title shall be obtained in conformance with KRS 162.010. A copy of the deed and attorney's title certificate shall be furnished the Superintendent of Public Instruction for approval of the title to the site.

(2) Water supply and sewage disposal shall be approved by

the Department for Natural Resources and Environmental Protection.

(3) Access to adequate public roads or streets to accommodate anticipated school traffic.

Section 4. A permanent monument (four (4) by four (4) by eighteen (18) inches deep concrete with a brass pin) shall be set in the boundary line of the site at a point which will provide a starting point for initial and final plot of meets and bounds which will circumscribe the site.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:41 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET

Department of Education

Bureau of Administration and Finance
Division of Buildings and Grounds

(702 KAR 4:060)

RELATES TO: KRS 162.060, 162.160

PURSUANT TO: KRS 156.070, 156.130, 156.160(5), 13.082

SUPERSEDES: SBE 22.080, 22.105; 22.120(3) (a) 3-9(b) and (c); 22.125, 22.130, 22.135, 22.140

NECESSITY AND FUNCTION: To insure functional operation, comfort and economical operation of the proposed educational facility.

Section 1. The structural design for construction of all new school buildings, building additions and remodeling shall be in conformance with the current revised Kentucky Standards of Safety and all other applicable state and local building codes and regulations. The following conditions shall be provided in the design of all new school buildings:

(1) The minimum width for elementary school main corridors shall be eight (8) feet in the clear.

(2) The minimum width for a middle school, junior high school, or high school main corridors shall be nine (9) feet in the clear.

(3) A ramp up to one (1) to twelve (12) slope will be approved. All ramps shall have a non-slip surface. Changes in direction of ramps must have level landings.

(4) Corridors shall terminate at an approved egress or at a stairway which leads directly to an approved egress. A corridor extension of six (6) feet will be permitted. In no case shall more than two (2) classrooms empty into this corridor extension.

(5) The minimum width of secondary corridors shall be six (6) feet.

Section 2. All required exterior doors must swing out, and they shall be provided with panic hardware, except exit doors from individual classrooms not housing more than forty-five (45) people. No less than two (2) exits shall be provided for each building.

(1) All required exit doors shall be either recessed or protected by a canopy, except exit doors from individual classrooms not housing more than forty-five (45) people. A landing of not less than four (4) feet shall be provided from the door threshold to the first step.

(2) All exterior exit doors and side lights, when glazed, shall have either clear wire glass, safety laminated glass, tempered glass panels, or approved equals.

(3) Classroom doors shall be at least three (3) feet by six (6) feet and eight (8) inches.

(4) Any door swinging into a corridor shall swing through 180 degrees or be recessed.

(5) In any room where there is a chance of panic by explosion, such as a chemistry room, shops, etc., and in any room that houses more than forty-five (45) students, library, cafeteria, etc., exit doors shall swing out.

(6) Each building of six (6) or more classrooms shall be provided with a ramp and door of widths to accommodate a wheelchair.

Section 3. No less than two (2) stairways shall be provided in multiple story buildings. The stairways shall be remote from each other.

(1) All required stairways shall open directly to the outside.

(2) Width of main stairways shall not be less than forty-four (44) inches between handrails. All stairways must be provided with a handrail on each side.

(3) Risers for main stairways shall not exceed seven (7) inches, and treads shall not be less than eleven (11) inches in width.

(4) No door shall open immediately upon a flight of stairs. A landing at least the width of the open door plus three (3) feet shall be provided.

(5) No storage space shall be located in or under any stairwell.

(6) Exterior stairways or ramps used as primary building exits shall be covered and shielded from weather.

Section 4. Standard elementary school classrooms shall be as follows:

- (1) A minimum of 720 square feet of floor space.
- (2) A minimum width of twenty-two (22) feet.
- (3) A minimum of forty-eight (48) square feet of chalkboard.
- (4) A minimum of forty-eight (48) square feet of tackboard.
- (5) A storage space for children's clothing.
- (6) A storage space for teaching materials and records.
- (7) Ceiling height shall be a minimum of eight (8) feet and nine (9) inches with mechanical ventilation and a minimum of nine (9) feet and eight (8) inches with natural ventilation.

Section 5. Standards for middle school, junior high and high school classrooms shall be as follows:

- (1) A minimum of 625 square feet of floor space.
- (2) A minimum width of twenty-two (22) feet.
- (3) A minimum of forty-eight (48) square feet of chalkboard.
- (4) A minimum of forty-eight (48) square feet of tackboard.
- (5) Ceiling height shall be a minimum of eight (8) feet and nine (9) inches with mechanical ventilation and a minimum of nine (9) feet and eight (8) inches with natural ventilation.

Section 6. A minimum window, twenty-four (24) by thirty (30) inches shall be required in all exterior classrooms. Only interior rooms will be approved without a window.

(1) All windows installed in instructional areas shall have a minimum of fifty (50) percent of operable sash.

(2) Operable sections of windows shall be within the reach of the classroom teacher.

(3) Clerestory windows and skylights shall not be approved in classroom areas.

(4) All window glass in classroom areas shall be a minimum of thirty (30) inches above the floor. The maximum height of the window sill shall be thirty-two (32) inches above the floor.

(5) In classrooms approved without mechanical ventilation, the area of window ventilation shall be equal to ten (10) percent of the floor area.

Section 7. Toilet rooms, shower rooms and locker rooms in a school building shall be exhausted by means of an exhaust duct system. Exhaust registers shall be located at or in the ceiling of each area and exhausted directly to the outside. Exhaust ducts serving rooms for opposite sexes shall not be connected to a common exhaust duct unless adequate sound proofing is provided. There shall be a minimum of twenty (20) air changes per hour of air provided for all areas.

Section 8. (1) All exterior walls shall have a minimum U-factor of .20 BTUH per square foot per degree Fahrenheit.

(2) A minimum U-factor for roofs shall be .12 BTUH per square foot per degree Fahrenheit.

Section 9. Standards for auxiliary spaces shall be as follows: (1) Auditoriums, gymnasiums, and multipurpose rooms shall be located on the ground level and regardless of size shall be provided with at least two (2) exits remote from each other.

(2) Noise producing areas shall be located remote and shielded from classroom areas.

(3) A principal's office, secretaries' space and reception area shall be provided in all school buildings.

(4) Records storage room shall be provided in all secondary schools. This shall be a fireproof room with a two (2) hour rated door.

(5) Locker space, properly ventilated, shall be provided for each middle, junior high, and high school student.

(6) A guidance area shall be provided in all middle school, junior high, and high school plants.

(7) A first aid room with toilet shall be provided in all school buildings.

(8) A general storage area for equipment and material storage shall be provided in all school plants.

(9) Custodial storage and equipment rooms shall be provided in all school buildings.

(10) Ceiling heights of all special instructional areas shall be eight (8) feet and nine (9) inches or more relative to the area of the room.

Section 10. Old buildings remodeled for instructional purposes shall, insofar as practical, meet the requirements of new spaces that would be used for the same purposes. The plans and specifications shall be approved by the Superintendent of Public Instruction.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:44 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET

Department of Education

Bureau of Administration and Finance
Division of Buildings and Grounds

(702 KAR 4:070)

RELATES TO: KRS 162.060, 162.160

PURSUANT TO: KRS 156.070, 156.130, 156.160(5), 13.082

SUPERSEDES: SBE 22.085, 22.090, 22.095, 22.110, 22.115,

22.120 (1) (2) and (3) (a) 1 and 2

NECESSITY AND FUNCTION: To provide for healthy, safe and comfortable space for learning.

Section 1. The design of the mechanical, ventilation or air conditioning system in schools shall be in accord with the recommendations and standards contained in the latest edition of the American Society of Heating, Refrigeration and Air Conditioning Engineers Guide.

(1) (a) The mechanical room shall be planned to permit repair and replacement of equipment, satisfactory cleaning and care, and provide for combustion air. All mechanical equipment shall be remote from the classroom area.

(b) Where the roof areas are being used to house major mechanical and electrical components, a set of stairs or ships ladder shall be provided. Walkways shall be provided on the roof from roof access point to each piece of major mechanical and electrical equipment.

(2) The heating system shall be of ample capacity and so installed as to insure uniform temperature of seventy (70) degrees being maintained in all occupied rooms when the outside temperature is zero (0). The air conditioning system (if provided) shall be of ample capacity and so installed as to insure uniform temperature of seventy-five (75) degrees, fifty (50) percent relative humidity being maintained in all occupied rooms when outside temperature is ninety-five (95) degrees db, seventy-eight (78) degrees wb.

(3) Mechanical ventilation shall be provided in all new schools and additions having six (6) or more classrooms.

(4) Mechanical ventilation system in classrooms shall provide eight (8) air changes per hour or thirty (30) cfm per pupil during occupied periods, whichever is greater. A minimum of ten (10) percent of this amount shall be outside air. Mechanical ventilation system shall be capable of maximum utilization of outside air for ventilating and cooling purposes. Mechanical ventilation system shall be provided with approved filters and automatic room temperature control. Air shall be introduced in such a manner as not to produce drafts.

(5) Mechanical ventilation systems for all multipurpose rooms, auditoriums, gymnasiums and cafeterias shall provide a minimum of six (6) air changes per hour or fifteen (15) cfm per occupant, whichever is greater, a system shall be designed so that it is capable of providing 100 percent outside air for ventilation or cooling when required.

(6) All windowless classrooms shall be air conditioned.

Section 2. All electrical work shall conform to the requirements of the National Electric Code.

(1) Electrical service entrance lines to school buildings shall be remotely located from student traffic lanes and areas planned for outside activities.

(2) Artificial light at a minimum at fifty (50) footcandles at desk level shall be provided for a classroom.

(3) Artificial light at a minimum of twenty (20) footcandles shall be provided for all stairways and corridors.

(4) Light switches in shower and toilet rooms shall be remotely located from plumbing fixtures. Windowless shower and toilet rooms shall be key operated switches.

(5) A minimum of two (2) duplex convenience outlets located remote from each other shall be provided for each classroom. For ETV power supply, one of the outlets shall be located approximately forty (40) inches above the floor at the end of a chalkboard remote from the entrance to the classroom.

(6) A convenience outlet shall be provided at each drinking fountain location.

(7) Each corridor shall be provided with grounded convenience outlets of such capacity and at such intervals to accommodate floor cleaning machines in corridors and classrooms.

(8) A convenience outlet shall be located near all major entrances of school buildings.

Section 3. All plumbing shall be installed in accord with the Kentucky Plumbing Code.

(1) The sewage disposal plant, where required on school property, shall be remotely located from all developed areas. Natural or installed screening shall be provided for the disposal unit.

(2) Drinking fountains shall be provided in the ratio of one (1) to seventy-five (75) students. A minimum of one (1) drinking fountain on each floor and/or each wing shall be provided. Not more than two (2) drinking fountains shall be permitted at each location. Drinking fountains shall not be placed in toilet rooms.

(3) Physical Education shower and locker rooms for each sex shall be provided in all schools housing seventh (7th) grade and above.

(4) Each school building of six (6) classrooms or more shall provide access to one (1) toilet compartment, for each sex, that will accommodate a wheelchair.

(5) When an addition to an existing building is made, additional sanitary conveniences, when counted with the existing conveniences, shall be provided to meet the requirements for the total student capacity.

(6) A hose bib and floor drain shall be provided in all toilet rooms containing more than one (1) water closet. Hose bibs shall be a minimum of eighteen (18) inches above floor and readily accessible.

(7) The following schedule shall be used as a basis for installing the fixtures in toilet rooms. Consideration will be given to multiple type lavatories.

ELEMENTARY SCHOOLS

No. of Boys	Water Closets	Urinals	Lavatories	No. of Girls	Water Closets	Lavatories
25	1	1	1	25	2	1
50	2	2	2	50	3	2
100	2	4	3	100	6	3
200	3	6	5	200	8	5
300	4	8	6	300	10	6
400	5	10	8	400	12	8
500	6	12	9	500	14	9

MIDDLE, JUNIOR HIGH AND SECONDARY SCHOOLS

No. of Boys	Water Closets	Urinals	Lavatories	No. of Girls	Water Closets	Lavatories
25	1	1	1	25	1	1
50	1	2	1	50	2	1
100	2	4	2	100	5	2
200	3	6	4	200	7	4
300	4	8	5	300	9	5
400	5	10	7	400	11	7
500	6	12	8	500	13	8

(8) School buildings of six (6) classrooms or more shall be provided with two (2) exterior hose bibs.

(9) A custodial service sink and shelving shall be provided, in a custodial work room, on each floor level of the building.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:45 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET

Department of Education

Bureau of Administration and Finance

Division of Buildings and Grounds

(702 KAR 4:080)

RELATES TO: KRS 162.060, 162.160

PURSUANT TO: KRS 156.170, 156.130, 156.160(5), 13.082

SUPERSEDES: SBE 22.145

NECESSITY AND FUNCTION: To provide for emergency classrooms and temporary instructional units.

Section 1. Relocatable classrooms which can be moved and assembled into instructional units on the school site may be approved on a year to year basis subject to the following:

(1) The minimum floor area of a relocatable classroom shall be as required in permanent school building construction.

(2) The minimum hearing, artificial lighting and ventilation shall be the same as for permanent construction.

(3) The minimum ceiling height shall be seven (7) feet and ten (10) inches at the lowest point.

(4) The minimum floor load shall be fifty (50) pounds per square foot live load.

(5) All units shall be securely anchored to withstand a wind of seventy-five (75) miles per hour.

(6) Steps with landings and handrails shall be provided for all exit doors.

(7) Each classroom shall be provided with two (2) doors, remote from each other.

(8) Chalkboard and tackboard, a minimum of forty-eight (48) square feet of each, shall be provided.

Section 2. The plans and specifications for approval shall provide the following:

(1) A plot plan of existing school which shows all boundaries, buildings, walks, drives, and other developments and the proposed location of the unit. Electrical service lines to the units, and water and sewage lines where applicable shall be shown on the plot plan.

(2) Specifications that each bidder will furnish a unit that will meet all of the regulations of the Kentucky State Board of Education, all regulations of the Kentucky State

Department of Insurance, Division of Fire Prevention, and all regulations of the Department for Natural Resources and Environmental Protection if plumbing is required. The specifications shall also require each bidder to submit with the bid, a copy of the plans and specifications bearing the seal of a Kentucky registered architect, of the unit being bid. The specifications shall require the successful bidder to submit a copy of the plans, bearing the seal of a Kentucky registered architect, to the Department of Insurance, Division of Fire Prevention; Department of Education; and Department for Natural Resources and Environmental Protection.

Section 3. (1) The successful contractor shall furnish the local board of education certification of completion on forms provided by the State Board of Education. The local board of education shall approve the form and forward to the Superintendent of Public Instruction a completed copy or a letter

stating why the board does not agree that the construction is substantially completed. The Superintendent of Public Instruction shall make a final inspection of the project following receipt of the required State Board of Education form.

(2) Following the final inspection, a written statement of completion or a list of items to be completed, will be given to the local board of education with a copy to the contractor. Written authorization for full payment of the contract will be given when the project is completed in accord with the plans and specifications.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:49 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
Division of Buildings and Grounds
(702 KAR 4:090)

RELATES TO: KRS 160.476, 162.010

PURSUANT TO: KRS 156.070, 156.130, 156.160, 13.082

SUPERSEDES: SBE 22.070

NECESSITY AND FUNCTION: To provide for property disposal in accordance with an approved educational program.

Section 1. School property proposed for disposal shall be surplus to the need for the educational program as approved by the latest facilities survey or by an amendment thereto. Request for approval shall be submitted in writing to the Superintendent of Public Instruction. Disposal may be implemented upon approval.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:44 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capitol Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 5:010)

RELATES TO: KRS 156.160, 189.540

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: To establish guidelines and procedures whereby the Division of Pupil Transportation will be enabled and empowered to offer direct assistance to the school districts in these areas: service to the pupils, school bus safety, and economy of operation.

Section 1. The Division of Pupil Transportation shall make the calculations for pupil transportation allotment purposes under the Minimum Foundation Program that are necessary to determine the calculated pupil transportation program cost for each district that provides transportation for its pupils.

Section 2. The Division of Pupil Transportation shall be responsible for the development of basic school bus driver training programs that can be used by division personnel and local district personnel for pre-employment and in-service training.

Section 3. The Division of Pupil Transportation personnel shall have the authority at any time to make a safety inspection of any and all school buses and special type vehicles either owned by the board or contracted to the board that are being used to transport pupils to and from school, held in reserve as substitutes for this purpose, or are being proposed for this purpose. If any of these school buses or special type vehicles are found to be in an unsafe condition, personnel of the Division of Pupil Transportation shall have the authority to prohibit their further use for the transportation of pupils until the conditions causing them to be unsafe shall have been corrected.

Section 4. The Division of Pupil Transportation personnel shall have the authority to prohibit the use of school buses and/or special type vehicles used for the transportation of pupils to and from school that have been purchased by boards of education or school bus contractors that were originally manufactured to the specifications of a state other than Kentucky until such school buses shall have been approved by said Division of Pupil Transportation personnel as meeting the minimum safety standards for Kentucky school buses of the same model year.

Section 5. The Division of Pupil Transportation shall have the authority to make a district pupil transportation system

survey in any school district that provides transportation for its pupils, or that is planning to provide transportation for its pupils.

Section 6. The Division of Pupil Transportation shall have the authority to require the superintendent of a school district to prepare or cause to be prepared: pupil transportation maps, bus route descriptions, and reports necessary for calculating the district's entitlement under the Minimum Foundation Program and for the purposes of the Division of Pupil Transportation in making a pupil transportation system survey for the district.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:54 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 5:020)

RELATES TO: KRS 157A.090, 157.370

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

SUPERSEDES: SBE 24.400, 24.500, 24.510, 24.526, 24.530

NECESSITY AND FUNCTION: To set out the method and steps for completion of the calculation of the districts' pupil transportation program cost in order to determine the amount of pupil transportation reimbursement that each district is to receive under the Minimum Foundation Program.

Section 1. A county district's net transported pupil density shall be determined by dividing the district's net ADA for pupils transported one (1) mile or more to school by the number of square miles in this district's primarily served area.

Section 2. The net ADA for this district's pupils transported one (1) mile or more to school shall be determined from the superintendent's annual statistical report for the district.

Section 3. The number of square miles in the primarily served area of the district shall be determined by deducting from the total square mile area of the county, the square mile area of any independent districts located within the county, and by deducting the square mile area of any portions of the district located more than one (1) mile from one of the district's pupil transportation vehicle routes.

Section 4. A county district's gross transported pupil density shall be used in constructing a graph required by KRS 157.370. This density shall be determined by dividing the district's gross ADA for all pupils transported as shown on the superintendent's annual statistical report for the district by the number of square miles in the district's primarily served area.

Section 5. An independent district's net transported pupil density shall be determined by dividing the district's net ADA for pupils transported one (1) mile or more to school by the number of square miles in this district's primarily served area.

Section 6. The net ADA for this district's pupils transported one (1) mile or more shall be determined from the superintendent's annual statistical report for the district.

Section 7. The number of square miles in the primarily served area of the district shall be determined by deducting from the total square mile area of the district, the square mile area of any portions of the district that are located more than one (1) mile from one of the district's pupil transportation vehicle routes.

Section 8. An independent district's gross transported pupil density shall be used in constructing the graph required by KRS 157.370. This density shall be determined by dividing the district's gross ADA for all pupils transported as shown on the superintendent's annual statistical report for the district by the number of square miles in the district's primarily served area.

Section 9. In calculating the amount to be added each year to the district's pupil transportation program cost for pupil transportation vehicle depreciation, only those wholly district-owned vehicles shown on the district's pupil transportation vehicle inventory for each year as having a rated pupil seating capacity of twelve (12) or more and as being less than nine (9) model years old shall be included. Pupil transportation vehicles used exclusively for activity purposes or that are not properly equipped and maintained in safe and satisfactory condition for the transportation of pupils shall not be included in the district's pupil transportation vehicle depreciation schedule.

Section 10. The rated seating capacity for all vehicles

used for pupil transportation shall be determined by using the same amount of seating space per pupil that is used to determine the rated pupil seating capacity of conventional school buses.

Section 11. In calculating the depreciation cost for a completely new pupil transportation vehicle purchased by a district during any school year, the model year of the vehicle chassis shall be considered to be the model year of the vehicle with the exception that, for inventory and calculation purposes by the Division of Pupil Transportation, all pupil transportation vehicles purchased new and shown by the district as having been added to its pupil transportation vehicle inventory during the school year shall be considered to be of the same model year regardless of when said vehicles were delivered during that school year or manufacturer's model year designation. The model year of all said vehicles to be the same as the year shown on the cover of the booklet containing the Kentucky Minimum Specifications for School Buses; Revised, that were in effect during the first half of the school year in which said vehicle was added to the district's inventory.

Section 12. The annual depreciation cost for any pupil transportation vehicle shown on the district's annual school transportation vehicle inventory that is within the eight (8) year depreciation schedule shall not be calculated unless said vehicle is maintained by the district in a safe and satisfactory condition for transporting pupils to and from school.

Section 13. The amount to be added each school year to the district's pupil transportation program cost for pupil transportation vehicle depreciation shall be determined by:

- (1) (a) Multiplying the number of qualifying vehicles of the same rated pupil seating capacity purchased new in any school year by one-eighth (1/8) of the bid price of a pupil transportation vehicle of the same rated pupil seating capacity purchased through the state bid price contract plan in the same school year when an average vehicle delivery cost of forty dollars (\$40) has been added to said bid price. The annual depreciation amount for each pupil transportation vehicle shall be calculated to the nearest whole dollar.
 - (b) Starting with the 1971-72 school year transportation cost calculation, a district that purchases a new pupil transportation vehicle during any school year of a rated pupil seating capacity or type that was not purchased by any district through the state bid price contract plan during that same school year shall furnish the Division of Pupil Transportation with certain qualifying information including the price paid for said vehicle from which said division shall establish a reasonable price to be used for the purpose of calculating the annual depreciation on said vehicles over an eight (8) year period based on the number of seats and other major cost factors.
 - (c) The amount calculated for the depreciation for all qualifying vehicles on the district's inventory shall be determined in the manner prescribed in subsection (1) of this section. The model year of the vehicle chassis shall determine the number of years that these vehicles remain within the eight (8) year depreciation schedule except where exceptions are shown in other sections of this regulation.
- (2) Whenever a district purchases a used pupil transportation vehicle of a model year that would place it within the eight (8) year depreciation schedule and which meets the safety requirements of the Kentucky Minimum Specifications for School Buses; Revised for the model year in which the vehicle was manufactured, certain qualifying information and the price paid for said vehicle shall be reported to the Division of Pupil Transportation. Depreciation of said vehicle shall be calculated for each school year for which said vehicle remains within the eight (8) year depreciation schedule by adding one-eighth (1/8) of the price paid for said vehicle to the district's pupil transportation vehicle depreciation schedule. In no case shall this amount exceed the annual amount of depreciation calculated for a vehicle of the same model year and rated pupil-seating capacity category that was purchased new through the state bid price contract plan. For inventory and calculation purposes by the Division of Pupil Transportation, the model year of the older component, chassis or body, shall be considered to be the model year of the vehicle and shall determine the number of years that said used vehicle remains within the eight (8) year depreciation schedule.
- (3) Whenever a district purchases a new school bus chassis and has its district-owned used school bus body installed thereon or purchases a new school bus body and has it installed on its district-owned used school bus chassis, certain qualifying information and the price paid for said new component shall be reported to the Division of Pupil Transportation. For inventory and calculation purposes by the Division of Pupil Transportation, the model year of such vehicle shall be considered to be the model year of the older component, chassis or body, and the depreciation shall be calculated for the number of years the vehicle remains within the eight (8) year depreciation schedule on the same basis as a new vehicle of the same rated pupil seating capacity purchased through the state bid price contract plan during that particular model year.
- (4) The amounts calculated for pupil transportation vehicle depreciation under subsections (1), (2) and (3) of this section shall be added together to make up the district's annual cost for pupil transportation vehicle depreciation.

Section 14. The final step in the district's tentative cost calculation shall be made by multiplying the district's graph adjusted cost per pupil per day by the aggregate number of days attendance of the district's pupils transported one (1) mile or more to school.

Section 15. The graph adjusted pupil transportation cost per pupil per day shall be determined by applying the district's transported pupil density to the graph as provided in KRS 157.370.

Section 16. The aggregate number of days the district's pupils were transported one (1) mile or more to school shall be determined by multiplying the average daily attendance of these pupils by the number of days the district's schools were in session up to the number required under the foundation program.

Section 17. When the net average daily attendance of foundation transported pupils in any district for the first two (2) months of the current school year is greater than it was for the first two (2) months of the previous school year, the district is eligible to apply for an adjustment for the current year increase.

Section 18. Application for an adjustment increase or a report on the absence of an increase shall be made by each district board prior to December 1 each year.

Section 19. The net average daily attendance of the district's foundation transported pupils computed for the first two (2) months of the previous school year shall be compared with the same two (2) month period of the current school year and the percent of growth determined.

Section 20. The district's tentative formula adjusted cost for pupil transportation shall then be multiplied by the percent of growth to determine the additional cost to be added as a current year increase.

Section 21. The calculated amount for current year increase shall then be added to the district's tentative pupil transportation cost calculation to make up the district's final formula adjusted cost for pupil transportation for the current school year.

Section 22. During the school year in which any independent school district starts to provide pupil transportation when said district's schools open, said district's adjustment for current year growth shall be calculated by multiplying said district's net average daily attendance of foundation transported pupils for the first two (2) months that said district's schools are in session by the average calculated cost per pupil per year for all independent school districts as shown in the pupil transportation tentative cost calculations bulletin dated for that school year. The amount calculated for growth shall be the only pupil transportation program cost considered for Minimum Foundation Program allotment purposes for said district for that school year.

Section 23. During the school year in which any independent school district starts to provide pupil transportation after said district's schools have been in session for two (2) months or more, there shall be no adjustment calculated for current year growth for said district for Minimum Foundation Program allotment purposes for that school year.

Section 24. During any school year following the school year in which any independent school district started to provide pupil transportation that the average daily attendance for the first two (2) months that said district's schools were in session shows a growth in foundation program transported pupils of 100 percent or less, the adjustment for current year growth shall be calculated as provided in Sections 17, 18, 19, 20 and 21 of this regulation. If said district's growth in foundation transported pupils for the first two (2) months shows a growth of more than 100 percent, the adjustment for current year growth shall be calculated first as provided in Sections 17, 18, 19, 20 and 21 of this regulation; and secondly, by multiplying the net increase in the average daily attendance of foundation transported pupils by the average calculated cost per pupil per year for all independent districts as shown in the pupil transportation tentative cost calculation bulletin dated for that school year. The lesser of the two (2) amounts shall then be added to said district's pupil transportation tentative cost calculation for Minimum Foundation Program allotment purposes.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:52 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor - Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 5:030)

RELATES TO: KRS 156.160, 189.540
PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160
SUPERSEDES: SBE 24.260

NECESSITY AND FUNCTION: To provide the district superintendent with the regulations necessary to assist him in administering the district's pupil transportation programs and to provide the maximum consistency throughout the state.

Section 1. The superintendent shall be responsible for the general supervision of the district's pupil transportation program. The superintendent may designate another employee or other employees of the board to assist in carrying out this responsibility. For the purpose of these regulations, the word "superintendent" shall mean the superintendent or his designate.

Section 2. The superintendent shall require that a safety inspection be made on each school bus owned and operated by the board or contracted to the board at least once each month that the district's schools are in session. This inspection shall be made by a competent person. If upon inspection, a school bus is found to be in unsafe operating condition, the superintendent shall withhold the bus from operation until the required repairs are made. The superintendent shall be responsible for keeping the records of the bus safety inspections on file, and shall be responsible for certifying to the Division of Pupil Transportation at least once each month that each school bus used during that month has received the proper safety inspection.

Section 3. The superintendent shall be responsible for preparing the school bus route maps, school bus inventories, and other reports required by the Division of Pupil Transportation for the purpose of making the pupil transportation cost calculation for the Minimum Foundation Program.

Section 4. The superintendent shall be responsible for making reports on a monthly basis to the Division of Pupil Transportation on all school bus accidents that happened to the district's buses during the month.

Section 5. The superintendent shall be responsible for providing the necessary or required school bus driver training before a school bus driver shall enter into the duties of transporting pupils to and from school. This training shall at least include over-the-road training in the actual operation of the bus, familiarization with the assigned bus route, and primary instruction concerning the Kentucky Revised Statutes, State Board of Education regulations, and local district policies that pertain to pupil transportation. Evidence that the driver has received this training shall be kept on file in the office of the superintendent.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975
RECEIVED BY LRC: April 2, 1975 at 11:50 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 5:040)

RELATES TO: KRS 156.160, 189.540
PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160
SUPERSEDES: SBE 24.240 (3)

NECESSITY AND FUNCTION: To assist district boards of education in meeting their necessary obligations in the operation of the district's school buses.

Section 1. The board shall be responsible for the safe operation of the district's pupil transportation system.

Section 2. The board shall provide the driver of each board-owned school bus and special type vehicle with a written contract each school year in which the terms of employment are clearly defined.

Section 3. The board shall provide the owner of any school bus or special type vehicle that is contracted to the board for the transportation of the district's pupils to and from school with a written contract each school year in which the responsibilities of the contractor are clearly defined.

Section 4. The board shall require the owner of any school bus or special type vehicle contracted to the board to provide a performance bond each school year in the amount that the board deems necessary.

Section 5. The board shall make provision for the mechanical maintenance of the district's school buses and shall maintain these buses in safe operating condition.

Section 6. In route planning and purchasing or contracting for school buses, the board shall work toward providing the pupil transportation vehicles necessary to keep the number of pupils required to be transported by any one (1) vehicle at one (1) time within reasonable proximity of the seating capability of the vehicle.

Section 7. The board shall be responsible for the removal of all the district identification from all places where it appears on a board-owned school bus before title to the school bus is transferred to another party. All contracts issued by the board to a school bus contractor shall contain a clause requiring the school bus contractor to remove all district identification lettering from the school bus when it is no longer under contract to the board.

Section 8. Before the board transfers title to a school bus to another party other than a Kentucky school district, the board shall be responsible for making the stop signal arm and the red flashing warning lights inoperable by disconnection or removal.

Section 9. The board shall be responsible for the development of a plan whereby all pupils that ride the school buses will receive instruction in school bus pupil safety each school year. The board shall also provide for practice in the emergency evacuation of each school bus under school supervision at least semi-annually, once during each half of the school year.

Section 10. The board shall not permit any radio or communication system that the board might permit to be installed on board-owned buses or buses contracted to the board to be used for other than receiving and sending messages concerning safety of the pupils, messages concerning bus mechanical problems, messages to expedite the transportation of the pupils to and from school, messages concerning severe weather alerts, or messages dealing with a catastrophe or emergency. This regulation shall not preclude the installation of a public announcement system on the bus that is under the control of the driver, or a radio, tape, or other type system whereby pupils might listen to educational or non-advertising programs by use of individual head sets.

Section 11. The board shall designate the physician or physicians that shall perform the physical examination required for all school bus drivers. The board shall keep a current physical examination record or physical fitness certificate for each school bus driver on file.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975
RECEIVED BY LRC: April 2, 1975 at 11:50 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 5:050)

RELATES TO: KRS 156.160, 189.540
PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160
SUPERSEDES: SBE 24.270

NECESSITY AND FUNCTION: To provide guidelines to assist boards of education in providing the supervision and discipline essential to the safe operation of the school buses.

Section 1. The principal or the person or persons designated by the board of education shall be responsible for the organization and operation of a system of adequate supervision of the pupils as they unload from the school buses and load onto the school buses at the school.

Section 2. The principal or the person or persons designated by the board of education shall be responsible for the discipline of the pupils that ride the school buses to and from school and shall assist the school bus driver with discipline problems that arise on the bus when the school bus driver shall have made the proper report on the discipline problem either in person or in writing.

Section 3. Should a pupil create a serious safety or discipline problem on the school bus or persist in creating discipline problems on the school bus after having been reported by the school bus driver to the principal or to the person or persons designated by the board of education and warned or disciplined, the principal or the person or persons designated by the board of education shall forbid the pupil to ride the school bus until written permission for the pupil to again ride the school bus has been given to the school bus driver by the person or persons designated by the board of education to grant such permission.

Section 4. The principal or the person or persons designated by the board of education shall cause a list to be made of the names and addresses of the pupils in each of the district's schools that are served by school buses that are assigned to ride each particular school bus on each particular

trip, and shall keep these lists current. A copy of the list of pupils that are assigned to ride a particular school bus on a particular trip shall be provided for the school bus driver to keep in a secure place on the school bus to use for pupil identification purposes and for use in case of an emergency or disaster.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:51 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 5:060)

RELATES TO: KRS 156.152, 156.153, 156.154

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

SUPERSEDES: SBE 24.225

NECESSITY AND FUNCTION: To establish guidelines and procedures for the cooperative purchase of school buses by Kentucky's school districts.

Section 1. The Division of Pupil Transportation, State Department of Education, shall prepare Kentucky minimum specifications for school buses for approval by the State Board of Education and shall keep said specifications up-to-date by revision whenever experience, model changes, manufacturing techniques, and product improvement indicate that revision and up-dating is necessary.

Section 2. The State Board of Education shall approve the Kentucky Minimum Specifications for School Buses, Revised as a separate document. Copies of this document containing the detailed specifications for the separate parts of new school buses and the specifications that pertain to used school buses shall be kept on file in the Division of Pupil Transportation, State Department of Education. This document shall be made available in reasonable numbers to those persons or firms that have need for same.

Section 3. All manufacturers, their agents or representatives that propose to sell new school bus chassis, school bus bodies, and complete school buses to be used in the Commonwealth of Kentucky for the transportation of pupils to and from school and for related uses shall file detailed specifications, test results, certifications, and advertising brochures on these chassis, bodies, and complete buses with the Division of Pupil Transportation, State Department of Education, Frankfort, Kentucky. These shall be filed at least annually at a time and in the manner prescribed. Said manufacturers, their agents or representatives shall keep these files up-to-date following model changes or modifications made between filing dates.

Section 4. The Division of Pupil Transportation shall prepare at least annually a list of those school bus chassis, school bus bodies, complete school buses, and optional equipment that has been approved as meeting the Kentucky Minimum Specifications for School Buses currently in effect. Said lists shall be made available in reasonable numbers to those persons or firms that have need for same.

Section 5. Any new school bus chassis, new school bus body, or complete new school bus purchased by any district board of education, individual, company or corporation for use in transporting pupils to and from school and for related purposes shall meet the Kentucky Minimum Specifications for School Buses; Revised that were in effect on the date of purchase. Same shall not be used for the above stated purposes until it shall have been approved by the Division of Pupil Transportation as meeting these requirements.

Section 6. Any used school bus chassis, used school bus body, or complete used school bus purchased by any district board of education, individual, company or corporation for use in transporting pupils to and from school and for related uses shall not be used for said purposes until it shall have been approved by the Division of Pupil Transportation as meeting the Kentucky Minimum Specifications for School Buses in effect on the date of its original purchase, and as meeting the used school bus mandatory safety equipment requirements in effect on the date same was purchased in used condition.

Section 7. The Director of the Division of Pupil Transportation shall have the authority to approve non-specialized school bus accessories to be installed on Kentucky's school buses at the time the bus is being manufactured or while in use.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:49 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 5:070)

RELATES TO: KRS 160.310

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

SUPERSEDES: SBE 24.230

NECESSITY AND FUNCTION: To establish guidelines and requirements relating to the district's responsibility for school bus liability insurance.

Section 1. Each district board of education that owns and operates any or all the school buses that transport the district's pupils to and from school shall purchase liability or indemnity insurance for these school buses. The coverage limits shall be at least the minimum amounts recommended by the Division of Pupil Transportation.

Section 2. When some or all of the district's pupils are transported on school buses or other vehicles contracted to the board, the board shall enter into an agreement with the contractor whereby liability or indemnity insurance for these vehicles may be secured at fleet rates. The insurance coverage limits on the contract vehicles shall be at least the minimum amounts recommended by the Division of Pupil Transportation.

Section 3. The Kentucky Standard School Bus Endorsement, adopted by the State Board of Education and furnished by the Superintendent of Public Instruction to insurers that have been awarded school bus insurance coverage, shall be attached to and become part of the school bus insurance contract after having been signed by an official of the insuring company having the proper corporate authority to sign this type document.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:50 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 5:080)

RELATES TO: KRS 156.160, 189.540

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

SUPERSEDES: SBE 24.280

NECESSITY AND FUNCTION: To set out the qualifications and responsibilities of the school bus driver in order to assist in carrying out the responsibilities of this important function in pupil transportation.

Section 1. No person shall drive a school bus who does not possess both of these natural body parts: feet, legs, hands, arms, eyes, and ears. The driver shall have normal use of the above named body parts. Eyes may be corrected to normal by the use of eyeglasses. The driver shall not have any physical or mental handicap that would affect the driver's ability to operate the school bus in a safe manner.

Section 2. The driver of any school bus, whether board owned or contractor owned, shall satisfactorily pass at least an annual physical examination by a physician or physicians designated by the district board of education. The board, at its discretion, may require a school bus driver to pass a routine physical examination or a special type physical examination more often than annually. The school bus driver shall have a current physical fitness certificate on file in the district superintendent's office.

Section 3. Drivers of school busses shall be between eighteen (18) and sixty-five (65) years of age. A driver shall not start driving a school bus until the eighteenth (18th) birthday. A driver whose sixty-fifth (65th) birthday occurs during the second half of the school year may continue to drive to the end of the school year.

Section 4. The school bus driver shall have a current driver's license that is valid in Kentucky.

Section 5. Substitute school bus drivers shall meet the same requirements as regular school bus drivers.

Section 6. In case of an emergency that would make it necessary for the driver to leave the bus while pupils are on board, the driver shall stop the motor, shift the bus to a low gear, set the parking brake, remove the ignition key, and place one of the older responsible pupils in charge during the driver's absence.

Section 7. The driver shall operate the school bus at all times in a manner that provides the maximum amount of safety and comfort for the pupils under the circumstances.

Section 8. The driver shall supervise the seating of the pupils on the bus. The driver shall make certain the seating

capability of the bus has been fully utilized before any pupil is permitted to stand in the bus aisle.

Section 9. The driver shall not, at any time, permit pupils to stand in the stepwell or landing area or where the pupil would likely fall out of the bus if the rear emergency door was opened, or where the driver's view directly in front of the bus or to either side of the front of the bus would be obscured.

Section 10. The driver shall report to the superintendent any overcrowded conditions on the bus.

Section 11. The driver shall transport only those pupils officially assigned to a particular bus trip unless an unassigned pupil presents the driver with a written permit to ride the bus trip that has been signed by the school principal or his designate. The driver shall not permit an assigned pupil to leave the bus at a stop other than where the pupil regularly leaves the bus unless a written permit signed by the school principal or his designate is presented to the driver.

Section 12. The driver shall not transport adult employees of the board or any person not employed by the board unless he receives written permission of the district superintendent to do so.

Section 13. The driver shall not permit any firearms or weapons, either operative or ceremonial, to be transported on the bus. The driver shall not permit any fireworks of any type to be transported.

Section 14. The driver shall not permit any live animal, fowls, or reptiles to be transported on the bus. The driver shall not permit any preserved specimen to be transported that would likely frighten any pupil or cause a commotion on the bus.

Section 15. The driver shall not permit the transportation of any object that would likely block the bus aisle or exits in case of a collision.

Section 16. The driver shall not permit a pupil to operate the entrance door handle or any other bus control except in case of an emergency.

Section 17. The driver shall not open the entrance door to permit pupils to enter the bus or leave the bus until both following and meeting traffic has stopped as required by law.

Section 18. The driver shall signal pupils that must cross the roadway to board the bus or when leaving the bus when it appears to be safe for the pupils to cross the road.

Section 19. The driver shall activate the flashing stop warning lights and/or the stop signal arm a sufficient distance from a bus stop that would permit any prudent motorist to stop short of striking or passing the stopped bus.

Section 20. For safety reasons, the driver shall not permit gasoline to be put into the bus gasoline tank while pupils are on board the bus.

Section 21. If a pupil's conduct on the bus is such that it endangers the lives and morals of the other people on the bus and makes it unsafe for the bus to continue on its route, and when requested by the driver to desist from such conduct and the pupil does not comply, it shall be the duty of the driver to order the pupil to leave the bus, and if this order is refused to eject the pupil from the bus or send for assistance whichever the circumstances dictate. Ejecting a pupil from the bus shall be done only in the most extreme circumstances. When ejection from the bus is required, the driver shall notify the principal of the school where the pupil attends, the district superintendent or some other school authority of the action taken as soon as it is possible to do so.

Section 22. In the interest of safety, the driver shall stop the bus at all places where the roadway crosses a railroad track or tracks at grade level. The driver shall open the bus entrance door, listen, and look for the approach of a train from both directions. When the driver has ascertained that it is safe for the bus to cross the railroad tracks, he shall close the bus entrance door, shift the bus gears into the range that will provide adequate power and proceed immediately to cross the railroad tracks. In cases of severe weather or restricted visibility, the driver shall request assistance from the oldest pupils on the bus in determining whether or not it is safe for the bus to cross the railroad tracks. Under these circumstances, the stop signal arm and flashing warning lights shall be used only if these pupils get off the bus before it is driven across the tracks and board the bus after it has crossed the tracks.

Section 23. The driver shall have the authority to assign a pupil to a specific seat on the school bus.

Section 24. The driver shall make a pre-trip inspection of the bus safety and operating equipment each time that the bus is taken out for the transportation of pupils.

Section 25. The school bus driver shall not operate the school bus at a speed in excess of the current posted truck speed on the sections of highways over which the bus travels,

nor at any time in excess of fifty-five (55) miles per hour. The driver shall not drive the school bus on any roadway at any time at a speed where the condition of the roadway, weather conditions, or other extenuating circumstances would likely make it unsafe for the bus to travel at that speed.

Section 26. The driver shall wear the driver's seat belt at all times that the bus is being used to transport pupils.

Section 27. The stop signal arm and flashing warning lights shall be used only at stops where pupils are boarding or leaving the bus.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:52 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capitol Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 5:090)

RELATES TO: KRS 156.160, 189.540

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

SUPERSEDES: SBE 24.275

NECESSITY AND FUNCTION: To make the pupils that ride the buses to and from school aware of their responsibilities relating to pupil transportation.

Section 1. Pupils shall wait at their assigned bus stop off the traveled roadway and shall remain there until the driver has stopped the bus and opened the entrance door, and signaled the pupils to enter the bus.

Section 2. When pupils must cross the roadway to enter the bus or cross the roadway when leaving the bus, they shall not cross the roadway until signaled to do so by the bus driver.

Section 3. For safety reasons, when pupils are required to cross the roadway when entering the school bus or leaving the school bus, these roadway crossings shall be made in front of the bus. The pupils shall cross the roadway a distance of approximately ten (10) feet in front of the bus in order that they may be seen by the bus driver.

Section 4. When pupils enter the bus, they shall proceed promptly to their assigned seat.

Section 5. Pupils shall remain seated until the bus has come to a complete stop before leaving their bus seats to get off the bus.

Section 6. For safety reasons, pupils shall not extend their arms, legs, or heads out the bus windows while the bus is in motion.

Section 7. Pupils shall not change from one seat to another while the bus is in motion unless given permission by the bus driver to do so.

Section 8. Pupils shall not create noise on the bus to the extent that is might interfere with the driver's ability to hear the signals of emergency vehicles or an approaching train.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:51 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capitol Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 5:100)

RELATES TO: KRS 157.370, 157A.090

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

SUPERSEDES: SBE 54.180 (2)

NECESSITY AND FUNCTION: To establish the terms under which the school districts will receive a weighted amount in their Minimum Foundation Program allotment to help defray the added cost of providing special transportation for pupils with specified handicaps.

Section 1. In determining those handicapped pupils that qualify to have their average daily attendance multiplied by 5.0 and added to that part of the district's aggregate days attendance that is multiplied by the district's adjusted cost per pupil per day in determining the district's pupil transportation program cost for allotment purposes, one or more of the following criteria shall apply: the pupil shall be certified to be physically handicapped, visually handicapped, or

trainable mentally handicapped to the extent that it would not be reasonable to expect the pupil to ride the regular school bus to and from school along with non-qualifying pupils.

Section 2. A district shall be considered as providing special transportation for qualifying handicapped pupils if at some time during the pupils transportation to or from school, the pupil is transported by a vehicle on which only pupils qualifying for special transportation are passengers.

Section 3. No school district shall certify the attendance of any qualifying handicapped pupil for weighted attendance as described in Section 1 of this regulation unless special transportation is provided for the pupil and is paid for from local district funds.

Section 4. The driver of a school bus that transports qualifying handicapped pupils to and from school shall meet the same requirements as the district's drivers that transport non-qualifying pupils to the district's public schools.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:52 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 5:110)

RELATES TO: KRS 163.020, 163.030, 160.320, 280.320, 157A.090, 157.370

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

SUPERSEDES: SBE 76.200(3)

NECESSITY AND FUNCTION: To establish the terms under which reimbursement will be paid to those districts that transport their secondary school pupils to a vocational school and establish the reimbursement limits.

Section 1. Any local district may provide bus transportation for the district's secondary school pupils from their parent school to a state vocational-technical school, an area vocational education center, or to a vocational training site where an integral part of the basic vocational instructional program is being provided. For the purpose of these regulations, the place or site where the pupil receives basic vocational training shall be referred to as a vocational school.

Section 2. All applications to transport pupils to a vocational school for which reimbursement is to be claimed shall be submitted to the Division of Pupil Transportation for approval.

Section 3. Requests for reimbursement for transportation to a vocational school shall be the responsibility of the district providing said transportation.

Section 4. Requests for reimbursement for transportation to a vocational school shall be made on a monthly basis to the Division of Pupil Transportation in the Bureau of Administration and Finance in the Department of Education.

Section 5. Local districts that transport pupils to a vocational school on buses owned and operated by the district shall be reimbursed for these expenditures to this extent:

(1) Bus mileage at a rate not to exceed the average cost per bus mile for county school districts, exclusive of driver's cost, as calculated by the Division of Pupil Transportation for the previous school year.

(2) The vocational school bus driver's cost at an hourly rate not to exceed the hourly rate paid by the district to a driver in the district's regular transportation program with similar qualifications.

Section 6. If a district's pupils are transported to a vocational school over a toll road as the nearest or best route, either on a board-owned bus or a bus contracted to the board, the district shall be reimbursed for the toll road fee in addition to mileage and driver's cost.

Section 7. A district that contracts for the transportation of its pupils to a vocational school shall be reimbursed an amount not to exceed the total amount that would result when the vocational school bus mileage is multiplied by the average cost per bus mile for county districts exclusive of driver's cost and the driver's total hours are multiplied by the average hourly rate paid by county school districts plus necessary toll road fees. The average mileage cost and average hourly rate shall be those calculated by the Division of Pupil Transportation for the previous school year.

Section 8. Bus mileage shall be calculated from the parent school to the vocational school over the nearest and best route. When the same bus is used to transport pupils to a vocational school from more than one (1) school within the same district, bus mileage shall be calculated from the school located farthest from the vocational school over the nearest and best route as the bus serves the other schools en route to

the vocational school.

Section 9. The total hours of driver's pay per day that will be reimbursed for transporting pupils to a vocational school shall be calculated on the basis of what the driver does while the pupils are in class at the vocational school and shall be done by one of these methods:

(1) If the driver waits at the vocational school for the full time that the pupils are in class, the driver's time shall start when the bus leaves the parent school farthest from which pupils are transported to the vocational school and shall stop when the pupils are returned to the farthest parent school.

(2) If the driver unloads the pupils at the vocational school, then takes the bus to another location and returns to pick up the pupils when the classes are finished, the first half of the driver's time shall start when the bus leaves the parent school farthest from the vocational school and ends when the driver reaches the point where the bus is parked until time to make the bus trip to the vocational school to return the pupils to their parent school. The second half of the driver's time shall start when the bus leaves the point where the bus was parked and ends when the bus reaches the parent school farthest from the vocational school.

(3) Insofar as it is possible or practical, the district shall pay the bus driver by the method that results in the least cost when the driver's time and the required bus mileage are considered in combination.

Section 10. The driver of the bus that transports pupils to a vocational school shall meet the same requirements as the district's bus drivers that transport pupils to the district's public schools.

Section 11. The school districts shall be reimbursed for the cost of vocational school transportation for the actual number of days that pupils were transported to the vocational school up to a maximum of 175 days per school year.

Section 12. One district may make a contract with another district to transport the other district's pupils to a vocational school on the same bus with the transporting district's pupils or on a separate bus. Said contract shall be made subject to approval by the Division of Pupil Transportation.

Section 13. When one district contracts to provide the bus or buses to transport another district's pupils to a vocational school, the district providing the bus or buses shall claim additional reimbursement only for the extra bus miles required and the extra hours of bus driver time required to provide this service for the other district.

Section 14. A district shall make maximum use of the bus that transports pupils to a vocational school through planning and routing. The use of more than one (1) bus for transporting pupils from any school or group of schools to a vocational school will be approved only when the length of time required for one (1) bus to pick up and transport the pupils would be impractical or when the number of pupils on one (1) bus would necessitate that some pupils be standees.

Section 15. When the number of pupils being transported to a vocational school averages less than twelve (12) pupils per day during any school month, the total amount of reimbursement paid to the district for that bus shall be reduced by one-twelfth (1/12) for each pupil less than twelve (12) that the bus transported during the school month.

Section 16. Districts shall not be reimbursed for the transportation of vocational school pupils on field trips, excursions, or recreational trips.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:53 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Education for Exceptional Children
(704 KAR 1:040)

RELATES TO: KRS 167.210 to 167.240

PURSUANT TO: KRS 13.082, 156.070, 156.160

NECESSITY AND FUNCTION: To promulgate State Board of Education regulation for Programs for Deaf-Blind Children pursuant to KRS 13.082.

Section 1. The program for deaf-blind children shall be operated pursuant to KRS 167.210 to 167.240, inclusive, and the criteria listed below:

(1) Definition: As used in KRS 167.210 to 167.240, unless the context otherwise requires, "deaf-blind children" includes any child whose combination of handicaps of deafness and blindness prevents him from profiting satisfactorily from educational programs provided for the blind child or the deaf child.

(2) Evaluation: Before educational placement for

deaf-blind children can be considered, appropriate evaluations of the child shall be made by qualified personnel and a copy of the evaluation report forwarded to the Bureau of Education for Exceptional Children.

- (a) The Kentucky State Department of Education is authorized to expend available funds for the purpose of providing evaluation and diagnostic services for deaf-blind children. Such funds are administered through the Bureau of Education for Exceptional Children.
- (b) Arrangements for evaluations shall be made by contacting the Bureau of Education for Exceptional Children.
- (3) Educational Placement:
 - (a) If results of the evaluation indicate that the child should be enrolled in an educational facility for deaf-blind children, the parents or guardians shall make application to an appropriate school.
 - (b) A statement that the child has been, or will be accepted by the school, must be submitted to the Bureau of Education for Exceptional Children. This bureau shall have the final responsibility for determining if the selected school is appropriate to the special educational needs of the child.
- (4) Eligibility: The eligibility of the child for placement in a special educational facility for deaf-blind children is based upon the following criteria:
 - (a) The child has both a vision and hearing loss so severe that he cannot make educational progress in existing state residential programs for the deaf or for the blind.
 - (b) All efforts have been exhausted for provision of educational programs for the child in a public school program for the deaf or for the blind.
 - (c) All efforts have been exhausted for placement of the child in existing state supported programs offering special adaptations of standard education programs and practices.
 - (d) The parents have followed through on the recommendations made by medical, psychological, and/or educational evaluations.
- (5) Transportation: Funds will be provided by the Department of Education for the transportation of the deaf-blind child and one (1) parent to and from the school at the beginning and end of the academic year and at the beginning and end of Christmas holidays. If it is necessary for more than one (1) person to accompany the child, requests shall be submitted to the Bureau of Education for Exceptional Children.
- (6) Selection: The selection of children to receive aid through this program will be made on the basis of a review of all applications and on the availability of state funds. The Bureau of Education for Exceptional Children shall make this selection.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:15 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Education for Exceptional Children
(704 KAR 1:050)

RELATES TO: KRS 157.200 to 157.305

PURSUANT TO: KRS 13.082, 156.070, 156.160

NECESSITY: SBE Chapter 54

REPEALS AND REPEALS: To recodify and re promulgate State Board of Education Regulations for Programs for Exceptional Children pursuant to KRS 13.082.

Section 1. General Provisions. Local boards of education shall operate programs for exceptional children of compulsory school attendance age pursuant to KRS 157.200 to 157.305, inclusive, and the criteria listed in this section and Sections 2 to 10 below:

- (1) Classroom unit: Classroom units for exceptional children are allocated to local school districts provided the following criteria are met:
 - (a) Approved teacher;
 - (b) Approved housing;
 - (c) Planned program; and
 - (d) Required number of children in membership.
- (2) Fractional classroom unit: A fractional classroom unit is a unit having fewer pupils than the prescribed pupil-teacher ratio as indicated in the appropriate sections below or if the program is in operation for less than a full day or full school year. Such units shall be allotted and certified on a basis proportionate to the pupil-teacher ratio and/or the proportionate length of the school day or the school year.
- (3) Personnel: Appropriate state certification shall be required. Additional classroom units for teachers of exceptional children allotted to any school district for the 1972-73 school year, and thereafter, shall be staffed by teachers who are fully certified in the appropriate area of exceptionality, except as provided in 704 KAR 20:165.
- (4) Housing:

- (a) The resource room and special class programs for exceptional children shall be housed in an elementary or secondary school, dependent upon the age range of the pupils, unless exceptions are provided in Sections 2 to 10 below pertaining to specific areas of exceptionality. Classrooms shall meet the standards for regular classrooms as specified in State Board of Education regulations.
- (b) Housing for the itinerant teacher plan shall be in facilities and/or rooms appropriate for instructing pupils in small groups or individually.
- (5) Program plans: The appropriate program plan for exceptional pupils shall be determined by the needs of the pupils in the local school district. Programs shall be organized and operated under one or more, or a combination of the following:
 - (a) A special class plan shall be a classroom based program in which the handicapped pupil is enrolled. The chronological age range for pupils enrolled in the special class shall not exceed four (4) years. The pupils shall participate in the regular class whenever possible.
 - (b) A resource room plan shall be a program which serves exceptional pupils who shall be enrolled in the regular class and shall be able to do part of their classwork in the regular class. The pupil shall go to the resource room for special instruction not available in the regular class. No more than eight (8) pupils shall be in the resource room for instructional purposes at any one time.
 - (c) An itinerant teacher plan shall be a teacher who travels to the pupils' school(s) on a regularly scheduled basis to work with pupils either individually or in small groups. Pupils shall be enrolled in a regular class and shall receive a portion of their instruction in the regular program.
 - (d) A variation plan shall be a variation of the above plans to include one or more areas of exceptionality for which the local school district has submitted a request and received approval from the Bureau of Education for Exceptional Children.
- (6) Teacher headquarters: For the itinerant teacher plan permanent work space, in addition to the area where personnel work with pupils, shall be provided.
- (7) Travel expenses: For the itinerant teacher plan the local board of education shall defray travel expenses incurred by personnel in the execution of duties related to the program.
- (8) Length of school day: The length of the school day shall be the same as for non-handicapped children.
- (9) Admission and release committees: Local school district personnel shall establish an Administrative Admissions and Release Committee and a School Based Admissions and Release Committee in each school with appropriate membership and functions as listed below.
 - (a) Administrative Admissions and Release Committee: The membership of the Administrative Admissions and Release Committee (AARC) shall consist of the director of the local school district program for exceptional children as chairperson, the referred pupil's principal, the involved instructional supervisor depending on the age and level of the child, and, others as requested by the AARC. The functions of the AARC shall be to receive information on identified children not currently enrolled in the local school district who are thought to need special educational services and/or programs; designate qualified persons to conduct a full-core evaluation on identified children; analyze results of the full-core evaluation and make recommendations as to appropriate services and/or programs for the identified child, including a written summary in educationally relevant and common terms of the referred pupil's special needs offering explicit strategies for meeting such needs and stating criteria by which the effectiveness of such intervention strategies may be determined; determine if the local school district can provide appropriate services, if local programs must be changed to accommodate the identified child, if additional services or programs will be developed, or if the child must receive services outside the local school district; meet with parents of identified pupils to explain the results of all assessments used in making a recommendation for appropriate services and/or programs, and inform parents of their right to see the records of such assessments; review extreme cases where the SBARC is not able to reach a decision on appropriate educational placement for a referred pupil and make recommendations as to appropriate educational placement; periodically review the placement of each exceptional child living in the local school district but receiving services outside the local school district in relation to his educational progress in that setting; serve as the review committee at hearings in which parents disagree with the recommendations of the SBARC as to appropriate services to be provided for their child.
 - (b) School-Based Admissions and Release Committee: The membership of the School-Based Admissions and Release Committee (SBARC) shall consist of the building principal, as chairperson, the referring teacher(s), teacher(s) of exceptional children, and consulting members providing input into the referred pupil's educational program such as guidance coun-

selor, psychometrist, psychologist, and school nurse. The functions of the SBARC shall be to receive referrals on pupils currently enrolled in the school thought to need special educational services and/or programs, conduct intermediate evaluations on referred pupils, analyze results of formal and informal diagnostic assessments (intermediate and/or full-core evaluation), make recommendations for appropriate services and/or programs for the referred pupil including a written summary in educationally relevant and common terms of the referred pupil's special needs which offers explicit strategies for meeting such needs and states criteria by which the effectiveness of such intervention strategies may be determined, meet with parents of referred pupils to explain the results of all assessments used in making a recommendation for appropriate services and/or programs, inform parents of their right to see the records of such assessments, periodically review the placement of each exceptional child in the school in relation to his educational progress in that setting, and, refer cases where appropriate services are not available within the school to the AARC.

(10) Evaluation: Exceptional pupils shall be evaluated in accordance with the following process:

- (a) Intermediate evaluation: An intermediate evaluation shall be completed on each child referred to programs for exceptional children. It shall consist of the referring person's assessment of the pupil's specific strengths and weaknesses in the academic and/or behavioral areas, a behavior observation of the referred pupil in familiar surroundings, such as the classroom and playground, formal and informal educational evaluation data composed of, individual and group standardized academic achievement tests and specific diagnostic assessment of basic skills areas such as reading, math, language, etc.
 - (b) Full-core evaluation: A full-core evaluation shall be performed before any child currently enrolled in the local school district can receive services in a program for exceptional children requiring him to be in a setting outside the regular classroom for more than twenty-five (25) percent of the regular school day. It shall also be completed on each child referred to the programs for exceptional children who is not currently enrolled in the local school district. It shall consist of a measure of social competence, a developmental history, an individual psychological assessment of current intellectual functioning, and additional reports, information and assessments deemed necessary by the admissions and release committee(s), such as vision, hearing, medical, and speech.
 - (c) Evaluations shall be completed by persons who are qualified to perform such evaluations as necessary for determining the current academic, social, emotional, and physical needs of each child referred to programs for exceptional children. Suggested persons conducting one or more components of the intermediate or full-core evaluation shall include, but not be limited to the following: educational diagnostician, guidance counselor, physician, psychiatrist, psychologist, psychometrist, school nurse, social worker, teacher of exceptional children.
- (11) Identification of exceptional children. Local school district personnel shall commence and/or continue the identification of exceptional children residing in their school district who are otherwise eligible for attendance in public education system but who are not attending a program of the local district.
- (12) Due process procedures: Exceptional children and their parents shall be afforded appropriate due process procedures which shall include but not be limited to the following:
- (a) Parents of exceptional children shall be notified in writing by local school district personnel that their child has been identified (referred) as an exceptional child and that such child has the right to receive an educational opportunity from the public school sufficient to their needs under the laws of the Commonwealth and the consent agreement.
 - (b) Local school district personnel shall forward a copy of the report of such identification and notification to the Department of Education.
 - (c) Local school district personnel shall provide that each exceptional child, for whom there is no existing local regular or special program or who is otherwise excluded from a local school system, shall receive a hearing in regard to that child's educational opportunities under the laws of the Commonwealth and the regulations of the State Board of Education. Such hearing shall be conducted on an informal basis and shall consist of notification to the parents and an opportunity for them to appear before the Administrative Admissions and Release Committee with respect to such exclusion. At that hearing, information shall be furnished to the parents concerning all available programs suitable to the needs, capacities, and capabilities of the child so advised and the responsibilities of the local school district with regard thereto. A written report of such hearing along with a statement as to determinations made in regard to the further edu-

cation of such a child shall be forwarded to the Department of Education.

- (d) Parents of exceptional children shall have the right to appeal the results of the hearing to the Department of Education in order to coordinate various special education programs which may be available to the child outside of the district. The Superintendent of Public Instruction shall designate an individual or individuals within the Department of Education to hear such appeals.
- (e) Such due process procedures shall be carried out in an orderly and prompt fashion.

Section 2. Programs for Crippled and Other Health Impaired.

(1) Eligibility criteria: A pupil shall be eligible for enrollment in a program for crippled and other health impaired if a licensed physician determined that he is physically unable to attend regular class. A medical statement by a licensed physician shall be on file in the central office.

(2) Program membership:

- (a) Program membership shall be six (6) to fifteen (15) pupils per teacher for the special class plan.
- (b) Program membership shall be ten (10) to twenty (20) pupils per teacher for the resources room plan and the itinerant teacher plan. The Bureau of Education for Exceptional Children, Department of Education, shall have the authority to waive the maximum membership requirements upon submission of a written request and justification by a local school district.

(3) Facilities: Facilities for rest periods shall be provided.

Section 3. Home Instruction, Hospital Instruction, Combined Home and Hospital Instruction Programs for Exceptional Children.

(1) Eligibility criteria:

- (a) An exceptional child shall be eligible for instruction in his home, hospital, or sanatorium provided a signed statement is secured from a licensed physician, psychologist, psychiatrist, or public health officer, that the condition of the child prevents or renders inadvisable attendance at school or application to study. This statement shall be kept on file in the local school district office.
- (b) Children with communicable diseases shall not be enrolled in a home instruction program.
- (c) A responsible adult shall be present in the home during the time the home instruction teacher is present.

(2) Program membership:

- (a) Program membership for a home instruction program shall be six (6) to ten (10) pupils per teacher.
- (b) Program membership for a special class in a hospital shall be six (6) to fifteen (15) pupils per teacher.
- (c) Program membership for a combined home and hospital instruction program shall be six (6) to fifteen (15) pupils per teacher.

(3) Schedule of visits and planning: The home instruction teacher shall complete a visitation and planning schedule. This schedule shall include specific times for teaching, for planning and for conferences. A copy of this schedule shall be on file in the central office.

(4) Attendance records: The home instruction teacher shall keep a regular Kentucky attendance register. A pupil enrolled on the home instruction program on the basis of the minimum standard of two (2) one (1) hour visits per week shall be counted as being in attendance five (5) days.

(5) Home instruction of high school students: High school pupils on home instruction programs shall meet minimum State Board of Education requirements, follow the prescribed local course of study, and acquire the required number of units prior to graduation from high school. Credits shall be issued through the high school which the pupil would attend if he were not homebound. These credits shall be transferable to the same extent as credits earned in a regular high school program.

(6) Hospital instruction: Hospital instruction shall mean a special class within a hospital or individual instruction within a hospital for children who are confined to the hospital for care and treatment and, according to medical prescription, are well enough to participate.

(7) Combined home and hospital instruction: If there is not a sufficient number of pupils in the hospital to warrant the establishment of a special class or it is otherwise unfeasible, the school district shall operate a combined home and hospital instruction program with the teacher dividing his time according to the proportionate number of pupils enrolled in the two (2) programs.

(8) Mobile van: Local school districts shall have the authority to use a mobile van for the instructional program providing a request for approval has been submitted and approval has been received from the Department of Education.

Section 4. Programs for Educable Mentally Handicapped Pupils.

(1) Eligibility criteria: Pupils who meet the definition pursuant to KRS 157.200(4) shall be eligible for enrollment in programs for the educable mentally handicapped.

(2) Program membership: Membership requirements shall range from ten (10) to twenty (20) pupils per teacher. The Bureau of Education for Exceptional Children, Department of Education, shall have the authority to waive the maximum membership requirements upon submission of a written request and justification by a local school district.

Section 5. Programs for Trainable Mentally Handicapped Pupils. (1) Eligibility criteria: Pupils who meet the definition pursuant to KRS 157.200(5) shall be eligible for enrollment in programs for the trainable mentally handicapped.

(2) Program membership: Membership requirements shall range from six (6) to twelve (12) children per teacher. The Bureau of Education for Exceptional Children, Department of Education, shall have authority to waive the maximum membership requirements upon submission of a written request and justification by a local school district.

(3) Age range: The chronological age range for the special class shall not exceed six (6) years. The Bureau of Education for Exceptional Children, Department of Education, shall have the authority to waive the age range requirements upon submission of a written request and justification by a local school district.

(4) Housing:

(a) Classes for trainable mentally handicapped pupils shall be housed in an elementary or secondary school commensurate with the age range of the pupils unless specific approval of other facilities has been obtained from the Bureau of Education for Exceptional Children and the Division of Buildings and Grounds, Department of Education.

(b) Classrooms shall meet the standards for regular classrooms as specified in State Board of Education regulations.

Section 6. Programs for Children With Learning Disabilities (Neurologically Impaired). (1) Eligibility criteria: Pupils who meet the definition pursuant to KRS 157.200(8) shall be eligible for enrollment in programs for children with learning disabilities.

(2) Program membership: Program membership for programs for children with learning disabilities (neurologically impaired) shall be as indicated below. The Bureau of Education for Exceptional Children, Department of Education, shall have the authority to waive the maximum membership requirements upon submission of a written request and justification by a local school district.

(a) Program membership for the special class plan shall be six (6) to eight (8) pupils per teacher through the intermediate level and six (6) to ten (10) pupils per teacher for the junior/senior high level.

(b) Program membership for the resource room plan and the itinerant teacher plan shall be eight (8) to fifteen (15) pupils per teacher.

Section 7. Programs for Emotionally Disturbed (Behavior Disorders). (1) Eligibility criteria: Pupils shall be eligible for enrollment in a program for the emotionally disturbed (behavior disorders) whose emotional and behavioral disorders indicate they can benefit from a modified learning environment and an instructional program compatible with their individual learning needs.

(2) Program membership: Program membership for programs for children with emotional disturbance (behavior disorders) shall be as indicated below. The Bureau of Education for Exceptional Children, Department of Education, shall have the authority to waive the maximum membership requirements upon submission of a written request and justification by a local school district.

(a) Program membership for the mildly to moderately emotionally disturbed pupils shall be from eight (8) to fifteen (15) pupils per teacher.

(b) Program membership for the severely emotionally disturbed pupils shall be from five (5) to eight (8) pupils per teacher.

(3) Housing:

(a) Programs for the emotionally disturbed (behavior disorders) shall be housed in an elementary or secondary school commensurate with the age range of the pupils unless specific approval of other facilities has been obtained from the Bureau of Education for Exceptional Children and the Division of Buildings and Grounds, Department of Education.

(b) Classrooms shall meet the standards for regular classrooms as specified in State Board of Education regulations.

Section 8. Programs for Speech Handicapped (Communication Disorders). (1) Admission and eligibility: Any pupil having a speech handicap/communication disorder shall be eligible for placement. Admission shall be based upon evaluation and/or recommendation by personnel certified by the Department of Education.

(2) Organizational patterns: Programs shall be organized and operated according to a plan which shall provide for individual or group instruction on a daily or less than daily basis.

(3) Planning: One-half (1/2) day per week shall be allotted for planning and conferences.

(4) Program membership: Membership requirements shall range from forty (40) to seventy-five (75) pupils per week. The Bureau of Education for Exceptional Children, Department of Education, shall have the authority to waive the membership requirements upon submission of a written request and justification by local school district.

(5) Reports: Data related to individual pupil status, required to complete state and local school district forms/reports, shall be maintained.

(6) Release: Shall be based upon ongoing subjective and objective assessment and/or recommendation by appropriately certified personnel.

(7) Mobile van: Local school districts shall have the authority to use a mobile van for the instructional program providing a request for approval has been submitted and approval has been received from the Department of Education.

Section 9. Programs for Children With Visual Handicaps. (1) Eligibility criteria: A pupil shall be eligible for enrollment in a program for the Visually Handicapped if an eye specialist certifies that he has a visual acuity of 20/70 or less in the better eye after correction.

(2) Reports and information: An eye examination report, completed and signed by an eye specialist shall be obtained.

(3) Program membership: Program membership for the special class plan, the itinerant teacher plan and the resource room plan shall be from five (5) to ten (10) pupils per teacher. The Bureau of Education for Exceptional Children, Department of Education, shall have the authority to waive the maximum membership requirements upon submission of a written request and justification by a local school district.

Section 10. Programs for Multiple Handicapped Children. (1) Eligibility criteria: Pupils who meet the definition pursuant to KRS 157.200(10) shall be eligible for enrollment in programs for the multiple handicapped.

(2) Program membership: Program membership shall be from five (5) to ten (10) pupils per teacher.

(3) Type of programs: Appropriate special education programs for multiple handicapped children shall provide for continuing instructional programs and services commensurate with the child's ability. Multiple handicapped children shall be integrated into other programs as possible.

(4) Housing: Classes for multiple handicapped children shall be housed in an elementary or secondary school, dependent upon the age range of the pupils unless specific approval of other facilities has been obtained from the Bureau of Education for Exceptional Children and the Division of Buildings and Grounds, Department of Education.

(5) Age range: The chronological age range for the special class shall not exceed six (6) years unless specific approval for an extended age range has been obtained from the Bureau of Education for Exceptional Children.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:15 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704 KAR 2:020)

RELATES TO: KRS 156.400 to 156.476, 157.100 to 157.190
PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

SUPERSEDES: SBE Chapters 5 and 26

NECESSITY AND FUNCTION: KRS 156.400 to 156.476 require that the Kentucky Textbook Commission select textbooks for use in the schools of the Commonwealth. KRS 157.100 to 157.190 require that the Department of Education purchase textbooks for certain grades and set up management procedures for the textbook program. This regulation establishes the standards and procedures which are necessary to carry out the statutory requirements of KRS Chapters 156 and 157 that deal with textbooks.

Section 1. Pursuant to the statutory authority placed upon the Superintendent of Public Instruction, the State Board of Education, and the Kentucky Textbook Commission under KRS Chapters 156 and 157, there is hereby devised, created, and incorporated by reference a Kentucky State Plan for Administering the Textbook Program which shall include the standards and procedures for the management of the textbook program in relation to the selection, listing, adopting, and purchasing of textbooks for the schools of the Commonwealth. The Kentucky State Plan for Administering the Textbook Program shall be published by the Superintendent of Public Instruction and copies furnished upon request directed to his office.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:13 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704 KAR 10:050)

RELATES TO: KRS 156.160

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

SUPERSEDES: SBE 68.034

NECESSITY AND FUNCTION: This proposed regulation estab-

lishes procedures for seeking State Board of Education approval for courses that are not listed in the "Program of Studies for Kentucky Schools."

Section 1. Any school desiring to offer a course not listed in the "Program of Studies for Kentucky Schools" shall secure the approval of the State Board of Education upon recommendation of the superintendent of public instruction before such a course is offered. Approval of the offering of the course shall be secured not later than the meeting of the State Board of Education immediately preceding the semester of initiating the course. Failure to secure state board approval before the course is initiated shall jeopardize accreditation of the school or schools involved. No course shall be considered for approval that is inconsistent with state board regulations, Kentucky Revised Statutes, and the Constitution of the Commonwealth of Kentucky.

Section 2. The procedure for seeking approval of an unlisted course shall be as follows: The administrative head of the school or school system seeking permission to offer an unlisted course shall notify the head of the Bureau of Instruction in writing of such intent and shall subsequently submit on the proper form information concerning the course as follows:

- (1) The name or title of the course;
- (2) A statement indicating need for the course;
- (3) A statement of the objectives of the course;
- (4) A brief of the scope and content of the course;
- (5) A statement describing adequacy of staff, facilities, equipment, and materials for implementing the course;
- (6) A description of deviation from the "Program of Studies for Kentucky Schools";
- (7) The amount of credit to be allowed for the course or the extent of grade levels involved in the proposed offering;
- (8) Proposed method of evaluation;
- (9) Anticipated length of experiment in terms of school years.

Section 3. The Superintendent of Public Instruction shall, after due counsel, submit the request to the State Board of Education.

Section 4. Upon approval by the State Board of Education, the form describing the course thus approved, with a notation of the approval, shall be filed with the organizational or annual high school report of the school or school system involved and become a part of said official report.

LYMAN V. GINGER
Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:13 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 2:020)

RELATES TO: KRS 156.070, 156.100, 156.130, 163.030, 163.040, 156.160

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish minimum requirements for vocational education budgets.

Section 1. Use of vocational education funds shall be authorized by the State Board of Education.

Section 2. Each biennial budget report shall present a complete financial plan for the next two (2) fiscal years. It shall include a detailed statement of anticipated expenditures and requests for appropriations by source of funds, major program areas, and sub-program areas.

Section 3. Each annual budget report shall present a complete financial plan for the next fiscal year. It shall include a detailed budget report by location, program area, budget unit, and minor object code.

Section 4. The official title of the officer who authorizes expenditures for federal and state vocational education funds is the Superintendent of Public Instruction or the Assistant Superintendent for Vocational Education when authorized by the Superintendent of Public Instruction.

LYMAN V. GINGER
Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:02 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 2:030)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

SUPERSEDES: SBE 73.500

NECESSITY AND FUNCTION: To establish regulations to cover the allocation of vocational education units under the Kentucky Foundation Program.

Section 1. Local school districts shall request vocational education units on form FP-VE-1 provided by the Division of Finance, Bureau of Administration and Finance, by May 15. The request shall be made only for programs which have been included in the required local plan for vocational education. Requests for new units shall be based on plans submitted by the local school district which are developed in conjunction with the regional vocational staff and the Program Development Division, Bureau of Vocational Education.

Section 2. Vocational units shall be allocated to local school districts to provide vocational education programs for the secondary school students in that district. Only that portion of a teacher's time devoted to vocational education shall be used for calculating vocational units. A vocational teacher shall be permitted to perform duties assigned to all teachers, such as homeroom duty, hall duty, or bus duty not amounting to more than a total of thirty (30) minutes per day. Vocational units shall be allocated only for those programs that have:

- (1) Certified vocational teachers who satisfy the requirements of the "Kentucky State Plan for the Administration of Vocational Education."
- (2) Facilities and equipment which meet established minimum requirements.
- (3) A curriculum which serves at least one (1) of the objectives of vocational education.

Section 3. The following activities shall be approvable for vocational units when the teacher is listed as a vocational teacher responsible for a minimum of three (3) vocational class periods:

(1) Each vocational teacher shall have a planning period if any part of the unit is to be allocated. Vocational units shall be used to support the planning period only for teachers having at least five-tenths (0.5) unit resulting from vocational teaching and other vocational activities. Teachers who teach two (2) three (3) hour vocational blocks or three (3) two (2) hour vocational blocks shall not be required to have a planning period during the six (6) hour school day.

(2) One (1) class period shall be permitted for supervision of cooperative vocational education or work experience programs when there is a minimum of ten (10) and a maximum of fifteen (15) participating students with training agreements on file. Two (2) class periods shall be permitted for this purpose when the number of students enrolled are a minimum of sixteen (16) and a maximum of twenty-seven (27). When only one (1) supervision period is provided, the supervision and planning periods shall be scheduled consecutively during the time students are on the job.

(3) One (1) class period shall be permitted for one (1) teacher in each vocational program area to work with activities of integrated and approved vocational student organizations.

(4) A high school with five (5) or more full time vocational teachers shall be permitted to designate one (1) teacher to use one (1) period to serve as a vocational department head.

(5) Agriculture teachers shall be permitted one (1) period for supervision of occupational work experience programs for a minimum of thirty (30) and a maximum of fifty (50) students. Two (2) periods shall be permitted for a teacher with more than fifty (50) students when at least twenty (20) students are juniors and seniors.

(6) Teachers shall qualify solely for supervision of cooperative work experience and agricultural programs supervision without the prerequisite of first teaching at least three (3) vocational periods.

Section 4. Class sizes shall be considered in allocating vocational education units. (1) All vocational classes shall have a minimum membership of ten (10) students unless justification is submitted to and approved by the Assistant Superintendent for Vocational Education.

(2) More than one (1) section of the same class shall have an average of twelve (12) students per class. Approval by the Assistant Superintendent for Vocational Education is required for justification of smaller enrollments.

(3) The maximum number of students per class shall be twenty-seven (27) or the number for which the facility is equipped, whichever is less.

Section 5. The class length standard for vocational classes shall be a minimum of sixty (60) minute periods and 300 minutes per week including passing time. If the Bureau of Instruction approves a different pattern of class schedules for the total school program, the Assistant Superintendent for Vocational Education shall, on request, approve shorter class periods for non-laboratory, shop, or practical exercise classes. Vocational classes which are laboratory, shop, or practical exercise classes shall require two (2) consecutive class periods if the gross period of time for one (1) class is less

than sixty (60) minutes. Programs having exploratory objectives shall be considered on individual request as exceptions to the minimum length of class period.

Section 6. The Assistant Superintendent for Vocational Education shall calculate units for programs offered in local high schools based on the information provided on the professional staff data (PSD) form which is completed on September 1 and amended as of February 1. The PSD shall be used to determine the amounts of time devoted to vocational programs, services, and activities. Additional justification shall be provided as needed to justify periods not devoted to teaching. Units shall be allocated for each vocational period calculated to the nearest tenth of a unit.

Section 7. The allocation of units to local school districts sending students to state vocational-technical schools and area vocational education centers shall be calculated on the basis of the number of students enrolled as of October 1. A vocational education unit shall be allotted for thirty (30) students attending the school three (3) hours per day, five (5) days per week or equivalent to this amount of student time. Units will be calculated to the nearest one-tenth (0.1) unit. The "contract" vocational unit shall be calculated at the value for a rank III teacher with four (4) to nine (9) years experience and one (1) month extended employment. The unit shall include the foundation program value for salary, capital outlay, and current expenses.

Section 8. The funds calculated from the foundation program for students attending state-operated vocational schools shall be divided. Twenty (20) percent shall be transferred to the local school district owning the facility and eighty (80) percent transferred to the Bureau of Vocational Education for operating the program. If the facility is state-owned, 100 percent of the funds shall be transferred to the Bureau of Vocational Education.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:56 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 3:070)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

SUPERSEDES: SBE 73.360

NECESSITY AND FUNCTION: To establish minimum standards for the establishment of a residential vocational school facility.

Section 1. A residential vocational school facility shall be used for the purpose of demonstrating the feasibility and desirability of such a school for youth of high school age. Residential vocational school facilities established for this purpose shall be operated and maintained by the Department of Education, Bureau of Vocational Education.

Section 2. The facility shall enroll youths, at least fifteen (15) years of age and less than twenty-one (21) years of age at the time of enrollment, who need fulltime study on a residential basis in order to benefit from such education. Adequate provisions shall be made for the appropriate selection of students needing education and training without regard to sex, race, color, religion, national origin, or place of residence within the state.

Section 3. In approving the location for such a facility and the enrollment, special consideration shall be given to the needs of urban and rural areas having substantial numbers of youths who have dropped out of school or are unemployed.

Section 4. The vocational education programs offered at such schools shall include occupational fields for which available labor market analysis indicates a present or continuing need for trained manpower. All programs offered in the school shall be appropriately designed to prepare enrollees for entry into employment or advancement in such fields.

Section 5. (1) Funds shall be approved by the State Board of Education, upon recommendation of the Superintendent of Public Instruction, for the construction, equipment, and operation of residential schools to provide vocational education, including room, board, and other student necessities. No fees, tuition, or other charges will be required of students who have been approved to occupy the residential facility for the purpose of receiving vocational education.

(2) The term "operation" with reference to a residential vocational school means maintenance and operation of the facility and includes the cost of salaries, equipment, supplies, and materials. It may include, but is not limited to, other reasonable costs of services and supplies needed by residential students, such as clothing and transportation.

Section 6. A minimum of twenty (20) acres of usable land shall be provided for building, expansion, and parking. In an urban or mountain area, this standard may be waived by the State Board of Education upon recommendation of the Superintendent of Public Instruction if the twenty (20) usable acres are not available and it is determined that there is sufficient space available for building, expansion, and parking.

Section 7. The school shall serve a minimum of 500 fulltime residential students who shall be expected to receive at least six (6) hours of instruction per day on an individualized basis.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:55 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 3:075)

RELATES TO: KRS 162.370, 162.470

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish policy and responsibility relative to maintenance of vocational education.

Section 1. Maintenance of vocational education facilities owned by the local boards of education shall be the responsibility of the local boards of education and shall be accomplished from funds designated by the State Board of Education. Maintenance shall be in accordance with current and approved plans and specifications filed in the office of the Superintendent of Public Instruction and as specified by contractual agreements with the state board or its designated representatives.

Section 2. Maintenance of vocational education facilities owned by the state and operated by the Department of Education, Bureau of Vocational Education, shall be accomplished from approved funds designated in accordance with current and approved plans and specifications on file in the office of the Superintendent of Public Instruction and the Division of Engineering, Executive Department for Finance and Administration.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:04 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 3:090)

RELATES TO: KRS 156.010, 166.120

PURSUANT TO: KRS 13.082

SUPERSEDES: SBE 79.130 (4), 79.260, 79.460, 79.520 (3), 79.530 (4), 79.540 (5), 79.720 (2), 79.760 (7)

NECESSITY AND FUNCTION: To establish guidelines as to quality of equipment purchased for vocational education programs.

Section 1. Equipment purchased for vocational education programs shall meet the following requirements:

(1) Meet the specifications and requirements as established by the Bureau of Vocational Education. These specifications and requirements shall be made available by the Bureau of Vocational Education in the form of recommended equipment lists;

(2) Represent the grade and type used by business and industry;

(3) Be in accordance with the safety standards as outlined in the Occupational Safety and Health Act of 1970 (P.L. 91-596) and subsequent amendments thereto; and

(4) Be maintained in accordance with an approved maintenance plan recommended by the Superintendent of Public Instruction and approved by the State board of Education.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:01 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 3:100)

RELATES TO: KRS 156.010, 163.020

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish policy and operating procedures relative to equipment purchasing.

Section 1. All vocational education purchasing shall be in accordance with regulations established by the Executive Department for Finance and Administration. All copies of equipment purchase documents shall be forwarded to the Bureau of Vocational Education with a Bureau of Vocational Education Form VE-14 for approval prior to purchase of equipment.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:03 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 3:110)

RELATES TO: KRS 42.030, 163.030

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish policy and operating procedures relative to inventorying vocational education equipment.

Section 1. The Bureau of Vocational Education shall be responsible for the management and control of the inventory system for vocational education programs. All nonexpendable personal property acquired in whole or in part with state funds shall be maintained on a current inventory and identified in accordance with regulations established by the Executive Department for Finance and Administration. Each item with a value of fifty dollars (\$50) or more shall be maintained on current inventory.

Section 2. All nonexpendable personal property acquired in whole or in part with federal funds shall be maintained on a current inventory in accordance with federal guidelines.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:02 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 3:120)

RELATES TO: KRS 156.010, 163.030

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish policy and operating procedures relative to equipment insurance.

Section 1. All vocational education equipment in state vocational-technical schools and area vocational education centers shall be covered by the State Fire and Tornado Insurance Fund regular policy underwritten by the Commonwealth of Kentucky except:

(1) Equipment normally utilized and stationed at remote locations shall be insured under the floater clause in the Fire and Tornado Insurance Fund.

(2) Equipment on loan from industry requiring insurance shall be insured under the Inland Marine policy underwritten by the Commonwealth of Kentucky.

Section 2. All equipment owned in whole or in part by the Commonwealth of Kentucky or the federal government and located in facilities owned by local education agencies is the responsibility of the local education agency. Such equipment is to be insured by the local education agency against the perils of fire, wind, hail, explosion, riot, riot attending a strike, civil commotion, aircraft, vehicles, and smoke.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:02 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 3:130)

RELATES TO: KRS 163.030, 163.040

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish policy and operating procedures relative to disposal and transfer of equipment.

Section 1. The disposal of all surplus nonexpendable personal property acquired in whole or in part with state funds shall be disposed of in accordance with regulations established by the Executive Department for Finance and Administration. The Bureau of Vocational Education shall be responsible for coordinating the disposal of all equipment in vocational education programs. All disposal requests shall be submitted to the Bureau of Vocational Education. The Bureau of Vocational Education shall be provided a disposal action report within fifty (50) days from date of approval of disposal request.

Section 2. The disposal of all surplus nonexpendable personal property acquired in whole or in part with federal funds shall be disposed of in accordance with federal regulations.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:03 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:010)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish general standards for all vocational education programs.

Section 1. Vocational education programs shall be designed to serve one (1), or combinations, of the following groups of persons: secondary, postsecondary, adult, disadvantaged, and handicapped.

Section 2. Vocational instruction shall be provided to serve occupations within the following vocational program areas: agribusiness, business and office, health and personal services, home economics, industrial, marketing and distribution, practical arts, public service, and special vocational.

Section 3. Objectives of the instruction shall be designed to:

- (1) Prepare individuals for gainful employment as semi-skilled or skilled workers, technicians, or semi-professionals in recognized occupations and in new or emerging occupations, or

- (2) Prepare individuals for enrollment in advanced or highly skilled vocational and technical education programs, or

- (3) Assist individuals in making informed and meaningful occupational choices, or

- (4) Achieve any combination of the above.

Section 4. The content of instruction in vocational education programs shall:

- (1) Be based on a consideration of the skills, attitude, and knowledge required to achieve the objective of such instruction and include a planned sequence of those essentials of education or experience (or both) deemed necessary for the individual to achieve such objectives.

- (2) Be developed and conducted in consultation with potential employers and other individuals having skills and substantive knowledge of the occupation or the occupational fields included in the instruction.

- (3) Include the most up-to-date knowledge and skills necessary for competencies required to meet the objectives of such instruction.

- (4) Be sufficiently extensive in duration and intensive within a scheduled unit of time to enable the student to achieve the objectives of instruction.

Section 5. The vocational program of instruction shall combine and coordinate classroom instruction with field, shop, laboratory, cooperative work, or other occupational experience which:

- (1) Is appropriate to the objectives of instruction,

- (2) Is of sufficient duration to develop competencies necessary for the student to achieve such objectives, and

- (3) Is supervised, directed, or coordinated by persons qualified under the "Kentucky State Plan for the Administration of Vocational Education."

Section 6. Instructional personnel in vocational education shall be qualified and fully certified under the provisions of the "Kentucky State Plan for the Administration of Vocational

Education" and other regulations of the State Board of Education. Work experience requirements not included as a part of certification programs shall be approved by the Assistant Superintendent for Vocational Education.

Section 7. All instructional personnel shall attend district, regional, or state in-service education meetings called and/or approved by the Assistant Superintendent for Vocational Education.

Section 8. Annual plans for vocational programs and applications for funds for the next school year shall be submitted by local educational agencies to the regional program coordinator for vocational education by April 15. The program plan shall be reviewed by the regional staff and the Bureau of Vocational Education staff and approved by the Assistant Superintendent for Vocational Education prior to program implementation.

Section 9. Recognized vocational student organizations shall be an integral part of the instructional program and shall be supervised by qualified vocational education personnel.

Section 10. Each occupational preparation program area offered by a local educational agency shall have an active program advisory committee to assist in planning, implementing, and evaluating programs.

Section 11. A continuous evaluation of the vocational education program shall be conducted by the local educational agency in accordance with requirements and instruments developed or approved by the Department of Education and by the local educational agency to determine the effectiveness of the program in terms of its objectives. The evaluation shall include a follow-up of students after their termination from the program. The Assistant Superintendent for Vocational Education shall designate the records and reports to be kept by local educational agencies operating approved vocational education programs.

Section 12. Where applicable, all vocational education programs shall operate according to guidelines developed by state and/or national licensure, certification, and registration agencies or boards having jurisdiction over graduates who seek employment in occupations governed by such agencies or boards.

Section 13. Classrooms, libraries, shops, laboratories, and other facilities, including instructional equipment, supplies, teaching aids, and other materials, shall be adequate in quantity and quality to meet the objectives in the vocational instruction.

Section 14. Requests for exceptions to any standards for vocational instructional programs shall be submitted in writing by the local educational agency, recommended by the appropriate program unit director, and approved by the Assistant Superintendent for Vocational Education. Exceptions shall be limited to experimental programs, innovative programs, and unusual cases and shall be approved on an individual and annual basis.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:04 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:020)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To identify purpose, uses, and request procedures for extended employment of vocational teachers employed by local school districts.

Section 1. Extended employment, provided under the Kentucky Foundation Program to permit local school districts to employ personnel beyond the normal school year of nine and one-fourth (9 1/4) months, shall be used by certified vocational personnel for the primary purpose of improving the education program.

Section 2. Extended employment time shall be used for the following type of activities: (1) Teaching secondary students during summer sessions or during weeks of school extended beyond nine and one-fourth (9 1/4) months.

(2) Supervision of students enrolled in vocational programs during the academic year including such activities as:

(a) Placement and follow-up of graduates and dropouts;

(b) Placement and supervision of vocational students employed during the summer months.

(3) Supervision of student organization activities occurring during the summer.

(4) Planned occupational experience in business and industry which is directly related to the teacher's teaching

responsibility and approved for a specific period of time.

(5) Planned in-service experiences such as conferences and workshops called at the state or regional level. Attendance at the summer conferences is significant enough that any teacher not attending shall present justification to the local superintendent and, if approved locally, a request must be made to the Assistant Superintendent for Vocational Education for approval.

(6) Planned evaluation to ascertain the quality and continued validity of the instructional program.

(7) Other activities such as: curriculum committees, laboratory organization, conducting manpower surveys, and planning or improvement of the course of study.

(8) For twelve (12) month employees, up to ten (10) days of planned educational experience in an institution of higher education shall be permitted when the courses are of mutual benefit to the teacher and to the program. Upon special request of the teacher and approved by the superintendent, teachers with less than twelve (12) months employment shall be considered for approval by the Assistant Superintendent for Vocational Education.

(9) For twelve (12) month employees, vacation time shall be consistent with local board policies for all twelve (12) month employees. This means that vocational teachers employed for twelve (12) months shall work at all times the superintendent's office is open and shall be eligible for sick leave and vacation time appropriate for other twelve (12) month employees. When local board policies do not cover teachers' vacations, a maximum of two (2) weeks shall be approved from extended employment time.

(10) Teachers shall not permit vacation and college education to interfere with the essential extended employment activities of the vocational program such as: conferences, student supervision, and student organization activities.

Section 3. Plans for extended employment shall be submitted with the annual local plan for vocational education. The plans shall include the objectives as well as the activities and percentage of time to be devoted to each objective. These plans shall be for the period from July 1 to June 30.

Section 4. By May 15 each teacher shall submit a schedule of extended employment activities for the summer. The schedule shall be approved and retained by the local superintendent. Upon request of a program unit director, copies of the schedule shall be forwarded to the Bureau of Vocational Education for approval.

Section 5. Periodic reports to show actual use of extended employment shall be submitted as requested by the Bureau of Vocational Education.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:05 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:030)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish the purposes, uses, and request procedures for extended employment of teachers employed in state operated vocational schools.

Section 1. Extended employment of vocational teachers in state operated vocational schools shall be for the same purposes as extended employment for secondary teachers in local school districts employed for a twelve (12) month period. Teachers shall conform to the regulations provided by the Department of Personnel in regard to annual leave, sick leave, and educational leave. Teachers in state operated vocational schools shall request approval of extended employment from the regional director of vocational education. Copies of the approved plan shall be submitted to the Bureau of Vocational Education and the appropriate unit program director.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:05 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:040)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish program standards

for cooperative vocational education programs.

Section 1. Cooperative vocational education programs shall meet the following minimum requirements:

(1) Enrollees must be at least sixteen (16) years of age and if below eighteen (18) they must secure a work permit issued by the superintendent of schools. Students from eighteen (18) to twenty-one (21) years of age shall have a certificate of age on file with the employer.

(2) Enrollees shall have taken basic skill prerequisites required by the occupational program they are pursuing.

(3) A student in a cooperative program shall be enrolled in a related class under the direction of the teacher-coordinator. The student shall receive minimum classroom instruction equivalent to five (5) hours per week.

(4) The student shall be paid a fair wage in accordance with local, state and federal minimum wage requirements.

(5) A training agreement between the school and the employer shall be on file for each student.

(6) A local advisory committee shall be formed to advise on suitability of job selection, standards, related instruction, and criteria for evaluation of performance.

Section 2. Cooperative teacher-coordinators shall meet the following qualification requirements: (1) Hold a teaching certificate designated for a teacher in an occupational program area in which he is coordinating cooperative vocational education experiences.

(2) Have a minimum of two (2) years teaching experience in an occupational program area. Exceptions: Agricultural, distributive education and special vocational education teacher-coordinators shall not be required to have prior teaching experience. Teacher-coordinators of industrial cooperative programs who are graduates of an approved associate degree or bachelor's degree program may be certified without prior teaching experience. Home economics teacher-coordinators shall meet requirements for gainful home economics teachers as stated in the "Kentucky State Plan for the Administration of Vocational Education."

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:06 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:050)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

SUPERSEDES: SBE 72.500

NECESSITY AND FUNCTION: To establish program standards for work experience programs.

Section 1. Supervised work experience, when feasible, shall be a program component for students enrolled in special vocational education programs. Such classes shall be organized through cooperative agreements between the school and the employer or institution providing on-the-job learning experience. Such arrangements shall provide for:

(1) Conformity with federal, state, and local labor regulations for the prevention of exploitation of students for private gain.

(2) An organized program of on-the-job training for each student.

(3) Supplemental related vocational instruction.

Section 2. Work experience programs shall be: (1) Appropriate to the student's vocational objective.

(2) Of sufficient duration to develop competencies to prepare students for employment in their selected occupational fields.

(3) Supervised by a member of the school staff who is qualified under the "Kentucky State Plan for the Administration of Vocational Education."

Section 3. Minimum standards for a work experience program in special vocational education shall be:

(1) Enrollees shall be at least fourteen (14) years of age and, if below eighteen (18), shall secure a work permit issued by the superintendent of schools. Students from eighteen (18) to twenty-one (21) years of age shall have a certificate of age on file with the employer.

(2) Students shall be enrolled in an approved special vocational education class under the direction of the teacher-coordinator.

(3) The student shall spend a minimum of fifteen (15) clock hours per week and shall receive payment for his work.

(4) The student shall be paid a fair wage in compliance with local, state, and federal minimum wage requirements.

(5) A training agreement between the school and the employer shall be on file for each student.

Section 4. An approved simulated work experience class shall be substituted for the on-the-job work experience in situations where actual on-the-job work experience is not possible or practical.

sible or practical.

LYMAN V. GINGER

Superintendent of Public Instruction

APPROVED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:55 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:060)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish general standards for vocational programs offered in secondary schools.

Section 1. The vocational curriculum shall be in conformance with the Kentucky program of studies approved by the State Board of Education. A school system offering a new vocational curriculum shall receive approval by the Assistant Superintendent for Vocational Education prior to program implementation.

Section 2. Preparatory secondary vocational education programs shall serve students enrolled in a school organized to provide appropriate learning experience and related services for students classified in grades nine (9) through twelve (12). Exploratory programs shall be permitted at the seventh and eighth grade levels.

Section 3. The vocational preparation program offered in vocational schools shall provide a curriculum of sufficient length to permit students to secure entry-level skills in the occupations for which they are training. A program shall be offered on a daily basis and on a schedule which is consistent with good educational practice. New patterns shall be researched and piloted on a limited basis before total acceptance throughout the state. Such action shall be recommended by the Assistant Superintendent for Vocational Education.

Section 4. Vocational student organizations shall be integrated in the vocational education program. Vocational teachers shall serve as adult advisors to the student organizations to improve the quality and relevance of instruction, develop student leadership, enhance citizenship responsibilities, and provide other wholesome experiences for youth.

Section 5. The Assistant Superintendent for Vocational Education shall have reviewed all vocational classes based on required local plans, professional staff data (PSD) forms, and periodic evaluation visits. Only programs and classes approved by the Assistant Superintendent for Vocational Education shall receive weights under the weighted pupil unit (WPU) distribution of state Foundation Program funds.

Section 6. Minimum and maximum class size shall be based upon program design, available facilities, and approval of the required local plan.

Section 7. The Assistant Superintendent for Vocational Education shall approve facilities and equipment prior to approving weighting under WPU for each vocational class. New approved programs must meet the minimum requirements prepared by the Assistant Superintendent for Vocational Education. Existing programs not meeting minimum requirements shall develop a plan to meet the requirements for facilities and equipment within a reasonable period of time.

Section 8. All secondary vocational teachers shall hold teaching certificates and meet other requirements of the "Kentucky State Plan for the Administration of Vocational Education."

Section 9. Students shall be admitted for enrollment and receive instruction on the basis of their potential for achieving the objectives of such instruction.

Section 10. Secondary students enrolled in public or private schools shall be permitted to enroll in vocational programs within state-operated area vocational schools consistent with that school's student enrollment quota for cooperating local school districts. Secondary students shall be at least fifteen (15) years of age during the school year in which they enroll in a vocational preparation program. No lower age limit shall deny any student use of the facilities of vocational schools for career education experiences designed to produce occupational awareness, orientation, exploration, and limited work exposure. High school credit shall be permitted for students enrolled in vocational programs in vocational schools on the same basis as the equivalent time would be granted high school credit for programs offered in the secondary schools.

Section 11. Each local district shall provide adequate instructional supplies for each approved vocational education program. While the amount of supplies needed by each class will vary, the local district shall provide a minimum of \$300

for each full-time vocational teacher. The amount shall be prorated for teachers employed less than full-time as a vocational teacher.

Section 12. The cost of instructional supplies and maintenance of equipment shall not be shifted to student fees. Student fees for classroom instruction for vocational students, exclusive of student organization dues and activity fees, shall not exceed five dollars (\$5) per year per class and not more than ten dollars (\$10) per student per year in a given vocational program area even though the student may be enrolled in several classes. The student may be required to purchase items which will become the property of the student.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:06 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:070)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

SUPERSEDES: SBE 79.100 through 79.130

NECESSITY AND FUNCTION: To establish program standards for secondary agribusiness education programs.

Section 1. The following minimum requirements shall apply to those schools offering secondary agribusiness education programs:

(1) Instruction shall be for youth in secondary schools who are preparing for job entry in the field of agriculture. Classroom instruction and supervision of the students' occupational experience programs must be a part of the instructional program. Time shall be provided in the daily schedule for both class instruction and supervision.

(2) The curriculum shall be designed to offer training that will enable students to develop skills and competencies that are necessary for job entry and advancement in their chosen agricultural occupations.

(3) Each student shall plan and conduct, under the supervision of the teacher, an occupational experience program which contributes to his occupational objective.

(4) Each student enrolled in a preparatory program shall have a record of an occupational objective on file. It shall specify a planned sequence of instruction.

(5) Preparatory programs designed for eleventh and twelfth grade students shall be two (2) year programs that meet for a minimum two (2) hour block of instruction each school day.

(6) Any exception to the minimum requirements in this section shall have the approval of the Assistant Superintendent for Vocational Education.

Section 2. The Future Farmers of America (FFA) shall be the officially recognized student organization for secondary students enrolled in agribusiness education.

(1) Each approved program in agribusiness education shall have an active FFA chapter that provides leadership development for all its members as evidenced by its meeting the requirements for a standard chapter.

(2) Agribusiness education teachers shall serve as FFA chapter advisers. In multiple-teacher departments, each teacher shall share the FFA chapter responsibilities.

Section 3. (1) Teachers of agribusiness education shall be employed for a minimum of one (1) month beyond the normal school year. This month shall be spent supervising students' occupational experience programs, attending the state vocational education conference, attending and supervising students at the annual FFA convention, revising the course of study, purchasing teaching materials, planning and conducting classroom and laboratory improvements. Additional extended employment of up to full twelve (12) month employment shall be provided when the teacher of agribusiness education conducts a program that requires the following summer activities:

- (a) Teaching secondary students during summer sessions or during weeks of school extended beyond the normal school year.
- (b) Supervision of students enrolled in vocational programs during the academic year.
- (c) Placement and follow-up of graduates.
- (d) Supervision of students' occupational experience programs.
- (e) Supervision of students participating in local, regional, state, and national livestock shows and fairs that are a part of the agribusiness education program.
- (f) Attending and supervising students during a week of leadership development at the Kentucky FFA Leadership Training Center.
- (g) Participation in the inservice training provided and promoted by the Agribusiness Education Unit.
- (h) Planning and supervising summer activities of the FFA chapter.
- (i) Conducting planned evaluation to ascertain the qual-

ity and validity of the instructional program.

(2) The number of months of extended employment granted shall be based on plans submitted with the annual local plan for vocational education. The plan shall include the objectives as well as the activities and percentage of time to be devoted to each. The period covered by this plan shall be July 1 to June 30 of the following year.

(3) By May 15, each agribusiness education teacher shall submit a schedule of extended employment activities for the summer.

Section 4. The schools offering agribusiness education shall provide facilities and equipment relevant to the program(s) being offered. (Example: greenhouse with related facilities and equipment for a horticulture program.) The facilities and equipment shall be approved by the Assistant Superintendent for Vocational Education. Minimum standards for facilities and equipment shall be prepared and distributed by the Bureau of Vocational Education.

Section 5. The minimum qualifications for employment of an agribusiness education teacher shall be: Agribusiness education teachers shall have a valid certificate.

Section 6. Standards for cooperative education programs in agribusiness education, in addition to other regulations governing cooperative education programs, shall be:

(1) The student shall be placed on a farm, in an agricultural business, industry, processing plant, organization, or with a professional in agribusiness for cooperative work experience.

(2) A written training plan shall be agreed on by the co-operator, the trainee, the teacher, and the parents of the trainee.

(3) The trainee shall spend sufficient time in a salaried position to develop skills and competencies necessary to reach the occupational objective.

Section 7. The agribusiness education unit shall prepare course descriptions and criteria for distribution to local school districts when the criteria for approval are more specific than these program standards.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:57 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:080)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

SUPERSEDES: SBE 79.150

NECESSITY AND FUNCTION: To establish procedures for operating and maintaining the Kentucky Future Farmers of America Leadership Training Center.

Section 1. The Kentucky FFA Leadership Training Center at Hardinsburg shall be operated and maintained as a definite part of the state program of agribusiness education. The center shall provide training in leadership and citizenship development for youth.

Section 2. The Assistant Superintendent for Vocational Education shall have general responsibility for the management and control of the center. The director of the center shall be a supervisor on the staff in agribusiness education in the Program Development Division, Bureau of Vocational Education, Department of Education. The facilities shall be maintained by dues and fees collected from members of the Kentucky Association of Future Farmers of America, by funds budgeted by the Bureau of Vocational Education and by fees charged other groups using the center. The facilities shall be used by the members of the Kentucky Association of FFA and other vocational education youth organizations for leadership training and recreation. When not used for vocational education purposes, the facility is available for use by other educational and farm organizations.

Section 3. The Assistant Superintendent for Vocational Education shall appoint a policy committee whose duty it shall be to advise with the director of agribusiness education and the director of the Leadership Training Center regarding the operation of the center. The policy committee shall be composed of a representative from the Division of Agribusiness Education, a representative from the teacher education staff in agribusiness education, two teachers of vocational agriculture, and the president of the Kentucky Association of Future Farmers of America. The executive secretary of the Kentucky Association of Future Farmers of America shall be chairman of the policy committee without a vote, and the director of the center shall serve as secretary without a vote.

Section 4. The director of the center shall, upon the approval of the director of agribusiness education and with

the advice of the policy committee, schedule the use of the facilities, fix the charges for room and meals, and develop procedures for its operation in line with the objectives of the program.

Section 5. The director of the center and other personnel employed at the center and paid from the funds provided by the Department of Education shall be employed by the Superintendent of Public Instruction, upon recommendation of the Assistant Superintendent for Vocational Education, in line with the established policies of the department. Personnel employed on a day-to-day basis, such as kitchen help, canteen help, and persons used to take care of the buildings and grounds, and paid from fees collected by the Leadership Training Center shall be employed by the director of the center with the approval of the director of agribusiness education.

Section 6. The director of the center, with the approval of the director of agribusiness education, shall let contracts for purchase of such items as milk, soft drinks, groceries, and other recurring expenditures. All expenditures from the funds of the center for capital outlay and equipment shall have prior approval of the Assistant Superintendent for Vocational Education.

Section 7. The director of the center shall be responsible for keeping an accurate record of all receipts from dues, fees, donations, and all expenditures. An approved system of bookkeeping shall be used. The Assistant Superintendent for Vocational Education shall be responsible for requiring an annual audit of the books of the center. Expenditures for food, housing, and other non-educational phases of the program shall be paid from the dues, fees, and donations to the center. Expenditures related to instruction shall be paid by the Bureau of Vocational Education from funds included in the annual budget to support such activities conducted at the center.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:57 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:090)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

SUPERSEDES: SBE 79.200 through 79.290

NECESSITY AND FUNCTION: To establish program standards for secondary school vocational business and office education programs.

Section 1. The following minimum requirements shall apply for schools offering a secondary vocational business and office education program:

- (1) The school shall offer a minimum of two (2) business and office occupational curriculum clusters in addition to a basic program. The clusters are secretarial, clerical, accounting-jr. management, and data processing.
- (2) The program shall have a minimum of three (3) business teachers, two (2) of whom are approved as vocational teachers.
- (3) A minimum of fifteen (15) vocational business and office students are enrolled in the two (2) occupational clusters.
- (4) Students shall have an occupational objective card on file specifying a planned sequence of instruction.
- (5) Each student's curriculum shall consist of six (6) units of credit in business and office, four (4) of which must be classified as vocational.

Section 2. The Future Business Leaders of America (FBLA) shall be the official student organization for business and office education.

Section 3. All vocational business and office teachers shall have a minimum of one (1) week extended employment to attend the state vocational conference. Minimum qualifications for extended employment for the following shall be:

- (1) First year co-op and model office coordinators: three (3) weeks;
- (2) Experienced co-op and model office coordinators: two (2) weeks;
- (3) FBLA advisers: one (1) week for attending officer training workshop;
- (4) Business and office department chairmen in departments with five (5) or more business teachers: one (1) week.

Section 4. The business department shall consist of a minimum of three (3) classrooms with furniture and equipment appropriate for instruction for business occupations and equivalent to that used in business and industry. The facilities and equipment shall be approved by the Assistant Superintendent for Vocational Education. Minimum standards for new facilities and equipment shall be prepared and distributed by the Bureau of Vocational Education.

Section 5. The minimum qualifications for a secondary vocational business and office education teacher shall be:

- (1) A baccalaureate degree with a major or an area in business.
- (2) A provisional high school certificate for Kentucky.
- (3) One (1) year or 2,000 hours of work experience related to the occupation to be taught. The work experience shall be approved by the Assistant Superintendent for Vocational Education.

Section 6. Minimum standards for a cooperative education program in business and office education, in addition to general regulations governing cooperative programs, shall be as follows:

- (1) The students enrolled in the cooperative education program shall have completed two (2) business courses and shall be completing the requirements for a vocational business and office occupational cluster.
- (2) The student shall spend a minimum of fifteen (15) clock hours per week in a salaried position which provides work experience directly related to the student's educational program.

Section 7. A model office program shall meet the following minimum standards:

- (1) The class shall meet for a two (2) hour block of instruction each school day for one (1) year.
- (2) The program shall use a software simulation package approved by the Assistant Superintendent for Vocational Education.
- (3) The program shall provide model office equipment and furniture arranged to simulate a realistic office environment.
- (4) The students enrolled in the model office program shall have completed two (2) business courses and shall be completing the requirements for a vocational business and office occupational cluster.

Section 8. A vocational business and office education teacher shall have no more than three (3) different daily class preparations.

Section 9. The business and office education unit shall prepare course descriptions and criteria and distribute to local school districts when the criteria for approval are more specific than these program standards.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:59 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:100)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

SUPERSEDES: SBE 79.400 through 79.490

NECESSITY AND FUNCTION: To establish program standards for secondary school health and personal service education programs.

Section 1. The following standards shall apply for schools offering a secondary vocational health and personal service education program:

- (1) The student enrollment shall not exceed the number established as approved for the available classroom and clinical facilities.
- (2) The maximum student/teacher ratio for health occupations programs shall be fifteen (15) to one (1) per session and twenty (20) to one (1) for personal service programs unless otherwise approved in writing by the Assistant Superintendent for Vocational Education. In the event a licensure, certification, or registration board mandates a lower student/teacher ratio, the requirements of this board shall apply.
- (3) Secondary health and personal service education classes normally meet for a minimum of three (3) hours per day. Innovative programs of shorter duration shall be approved in writing by the Assistant Superintendent for Vocational Education.
- (4) The program shall meet the criteria required by state and national boards and associations that license, certify, or register the graduates of the program.

Section 2. Student leadership development activities shall be integrated into the educational program. These leadership development activities shall be provided through one (1) of the following:

- (1) Affiliation with an organization associated with the career area for which the student is preparing.
- (2) Establishment of a local student leadership organization.
- (3) Affiliation with a recognized vocational student organization.
- (4) Affiliation with community based leadership development organizations.

Section 3. All health and personal service education instructors shall be employed for a minimum of one (1) month beyond the regular school term. One (1) week of this month shall be utilized for attendance at the state vocational conference.

Section 4. The facilities requirements are: (1) Schools offering health and personal service education shall have available for utilization educational facilities including lecture, laboratory, and classroom areas with furniture and equipment consistent with the instructional objectives of the program.

(2) The facilities and equipment shall be approved by the Assistant Superintendent for Vocational Education. Minimum standards for new facilities and equipment shall be prepared and distributed by the Bureau of Vocational Education.

Section 5. An instructor in health and personal service education shall have at least a high school diploma, or its equivalent, determined by evidence of an acceptable score on a GED test administered by an approved testing center, be a graduate of an approved curriculum of vocational education in the area to be taught, and have at least three (3) years of work experience in the area. One (1) year of the work experience requirement may be substituted by one (1) year of additional education beyond the high school level in an approved postsecondary school. The minimum qualifications for an instructor shall be equivalent to those required by state and national boards and associations that license, certify, or register the graduates of vocational programs. The work experience shall be approved by the Assistant Superintendent for Vocational Education. The teacher shall hold the Kentucky education certificate designated for the position. In a health careers program at least one (1) instructor shall be a registered nurse licensed to practice in the Commonwealth of Kentucky.

Section 6. Guided clinical experience shall be an integral part of the health and personal service educational program.

(1) The guided clinical experience shall be appropriate to the level of the trainee's skill consistent with the educational objectives of the course and shall be integrated with the classroom instruction.

(2) The school shall have a written agreement with each cooperating agency specifying responsibilities and authority of each party to the agreement.

(3) A statement of understanding shall be signed by all students prior to assignment in a clinical area.

(4) Transportation shall be available to and from clinical facilities and reflected in the program plan and budget.

Section 7. The health and personal service education unit shall prepare class descriptions and criteria and distribute to local school districts when the criteria for approval are more specific than these program standards.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12 Noon

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:110)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

SUPERSEDES: SBE 79.500 through 79.560

NECESSITY AND FUNCTION: To establish program standards for secondary consumer and homemaking programs.

Section 1. The following minimum requirements shall apply for schools offering a secondary vocational program in consumer and homemaking education:

(1) The school shall offer instruction in the areas of child development, clothing and textiles, food and nutrition, housing, management-consumer education, and personal and family development.

(2) The minimum offerings shall be a two (2) year comprehensive program and shall include all areas of instruction listed above.

(3) Supervised extended learnings which make use of consumer and homemaking instruction shall be a part of the program.

(4) Teachers shall make visits to homes of FHA students.

Section 2. The Future Homemakers of America (FHA) shall be the official student organization for home economics education and shall be an integral part of the instructional program. The organization shall be under the direction of the home economics teacher.

Section 3. The teacher shall be employed a minimum of one (1) month beyond the regular school term. One (1) week shall be used to attend the state vocational conference. Any additional time shall be approved annually by the local school superintendent and the Assistant Superintendent for Vocational Education.

Section 4. Facilities and equipment necessary for teaching each of the areas of consumer and homemaking education shall be approved by the Assistant Superintendent for Vocational Education. Minimum standards for facilities and equipment shall be prepared and distributed by the Bureau of Vocational Education.

Section 5. The teacher shall be certified to teach vocational home economics and shall keep up-to-date by participating in activities such as graduate study, state and regional conferences, and in-service workshops.

Section 6. The home economics unit shall prepare course descriptions and criteria for programs and distribute to local school districts when the criteria for approval are more specific than these program standards.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:01 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:120)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish program standards for secondary gainful home economics programs.

Section 1. The following minimum standards shall apply for schools offering a secondary vocational program in gainful home economics:

(1) The curriculum shall be based on a job analysis of the occupation. It shall be specific and limited in scope to the learnings and skills related to the occupation or a cluster of closely related occupations.

(2) The class shall meet for a minimum of two (2) consecutive class periods daily or a total of 120 minutes daily.

(3) Supervised, practical experience shall be a part of the preparatory training program.

(4) Students shall be enrolled on the basis of their interest and aptitude for a specific occupation or a cluster of closely related occupations.

(5) Facilities shall be available to enable trainees to acquire marketable skills in the occupation.

Section 2. The student organization, FHA or FHA/HERO, shall be an integral part of the program.

Section 3. The teacher shall be employed a minimum of one (1) month beyond the regular school term. One (1) week shall be used to attend the state vocational conference. Any additional time shall be approved annually by the local school superintendent and the Assistant Superintendent for Vocational Education.

Section 4. Facilities and equipment shall be approved by the Assistant Superintendent for Vocational Education. Minimum standards for facilities and equipment shall be prepared and distributed by the Bureau of Vocational Education.

Section 5. The minimum qualifications of a secondary gainful home economics teacher shall be: (1) A certificate to teach vocational home economics.

(2) One (1) year or 2,000 hours work experience related to the occupation to be taught or one (1) year teaching experience, a course related to occupational instruction and approved additional experience or occupational experience in the area of home economics related to the occupation.

Section 6. A cooperative class shall meet the following minimum standards: (1) The student shall have completed at least one (1) semester in the gainful home economics occupation in which he will be placed for paid work experience.

(2) A related class of at least one (1) hour per day shall be concurrent with the supervised occupational experience.

(3) Supervised occupational experience shall consist of two (2) to three (3) hours per day or the equivalent number of hours per week in an approved training station for a semester or a year under the supervision of the cooperating employer and the teacher.

Section 7. The home economics education unit shall prepare course descriptions and criteria and distribute to local school districts when the criteria for approval are more specific than these program standards.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:06 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:130)

RELATES TO: KRS 156.070, 163.030
PURSUANT TO: KRS 13.082
SUPERSEDES: SBE 79.700 through 79.760
NECESSITY AND FUNCTION: To establish program standards for secondary school industrial education programs.

Section 1. The following minimum requirements shall apply for schools offering a secondary industrial education program:

(1) Classes having the objective of occupational preparation shall be organized to operate for three (3) consecutive hours including passing time on a daily basis during the school year. Any exception to this schedule will be made for the purpose of experimentation or research with the approval of the Assistant Superintendent for Vocational Education.

(2) Students enrolled in occupational preparatory programs shall be at least fifteen (15) years of age during the school year in which they enroll and they shall be enrolled on the basis of their potential for achieving the specific occupational goal they have chosen.

(3) Courses of instruction shall be made up of specific occupational content and be of sufficient length to prepare students with entry-level skills in the occupation.

(4) Class size shall be determined by the number of individual work stations provided. No more than twenty (20) students shall be the responsibility of one (1) teacher at any given time.

Section 2. The Vocational Industrial Clubs of America (VICA) shall be the official youth organization for industrial education students. The organization shall function as an integral part of the instructional program.

Section 3. Industrial education teachers shall be employed at least one (1) month beyond the regular school term. One (1) week of the extended employment shall be spent attending the state vocational conference any year in which it is held.

Section 4. Facilities for industrial education programs shall be of adequate size and design to accommodate the equipment, activities, and the number of work stations peculiar to each program. The equipment shall be equivalent to that used in industry. Facilities and equipment shall be approved by the Assistant Superintendent for Vocational Education. Minimum standards for facilities and equipment shall be prepared and distributed by the Bureau of Vocational Education.

Section 5. The minimum qualifications for employment of an industrial education teacher shall be: (1) A high school graduate or the equivalent with at least three (3) years of journeyman level experience in the occupation to be taught, which shall be approved by the Assistant Superintendent for Vocational Education; or an approved associate or bachelors degree in industrial education.

(2) A certificate endorsed to teach the specific preparatory program.

Section 6. The minimum standards for a cooperative industrial education program shall be, in addition to other regulations governing cooperative programs: students shall spend time on the job equal to that spent in school on an alternate or rotating basis.

Section 7. The industrial education unit shall prepare course descriptions and criteria and distribute to local schools when the criteria for approval are more specific than these program standards.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:01 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:140)

RELATES TO: KRS 156.070, 163.030
PURSUANT TO: KRS 13.082
SUPERSEDES: SBE 79.300, 79.340 through 79.381
NECESSITY AND FUNCTION: To establish program standards for secondary school distributive education programs.

Section 1. The following minimum requirements shall apply for schools offering a secondary marketing and distributive education program:

(1) The school shall offer a three (3) year program of instruction beginning in grade ten (10).

(2) Simulated laboratory programs shall be two (2) hours in length and offered for seniors.

(3) Students shall have an occupational objective statement on file specifying a planned sequence of instruction.

Section 2. Distributive Education Clubs of America (DECA), the official student organization for marketing and distributive education, shall be an integral part of the instructional program.

Section 3. Teachers of marketing and distributive education shall have a minimum of one (1) month extended employment beyond the regular school year, one week of which shall be to attend the state vocational conference.

Section 4. The marketing and distributive education facilities shall include a classroom-laboratory, teacher's office, and storage room. The facilities and equipment shall be approved by the Assistant Superintendent for Vocational Education. Minimum standards for new facilities and equipment shall be prepared and distributed by the Bureau of Vocational Education.

Section 5. The minimum qualifications for a secondary marketing and distributive education teacher shall be: (1) A baccalaureate degree with a major or area in distributive education, business administration, or business education (accounting or general business).

(2) A provisional or standard high school certificate for Kentucky.

(3) One (1) year or 2,000 hours occupational experience in distributive occupations which shall be approved by the Assistant Superintendent for Vocational Education.

(4) Majors in business administration or business education must complete nine (9) semester hours in a planned in-service program, including a minimum of six (6) semester hours in professional distributive education and three (3) semester hours in relevant content preparation.

Section 6. Minimum standards for a cooperative education program in marketing and distributive education shall be a minimum of fifteen (15) clock hours per week in a salaried position which provides work experience directly related to the student's educational program, in addition to other regulations governing cooperative programs.

Section 7. A fulltime marketing and distributive education teacher shall have no more than three (3) different daily class preparations.

(1) A fulltime teacher supervising sixteen (16) students or more working in an approved cooperative training station shall have a daily schedule consisting of three (3) classes of marketing and distributive education, one (1) planning period, and two (2) supervisory periods.

(2) A fulltime teacher supervising fifteen (15) students or less working in an approved cooperative training station shall have a daily schedule consisting of three (3) classes of marketing and distributive education, one (1) planning period, one (1) supervisory period, and one (1) period with the approval of the Assistant Superintendent for Vocational Education to teach a fourth class or conduct student organization activities or serve as the vocational department head.

(3) Only one (1) teacher in a multi-teacher department will be approved for a period to conduct student organization activities.

(4) Fulltime teachers of simulated laboratory programs shall have a daily schedule consisting of three (3) classes of marketing and distributive education and two (2) planning periods.

Section 8. The Marketing and Distributive Education Unit shall prepare program descriptions and criteria and distribute to local school districts when the criteria for approval is more specific than these program standards.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:00 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:150)

RELATES TO: KRS 156.070, 163.030
PURSUANT TO: KRS 13.082
NECESSITY AND FUNCTION: To establish program standards for vocational practical arts education programs.

Section 1. The following minimum requirements shall apply for schools offering a vocational practical arts education program:

(1) Students enrolled in a vocational practical arts education program shall explore a minimum of six (6) occupational clusters from a minimum offering of nine (9) clusters during three (3) consecutive years of grades six (6), seven (7), eight (8), and nine (9). In addition, prior to or concurrent with, beginning of an exploratory program, students must have an orientation to the world of work and the economic system.

(2) During the first year of the program, students shall explore at least three (3) clusters from a minimum of six (6) cluster offerings. In addition, they must have a module con-

sisting of orientation to the world of work and the economic system prior to, or concurrent with, beginning exploration of the occupational clusters.

(3) During the second year of the program, students shall explore at least three (3) clusters not previously explored from a minimum of six (6) cluster offerings, three (3) of which were not previously explored in the first year of the program.

(4) During the third year of the program, students shall explore at least one (1) cluster from a minimum of four (4) offerings. Enrollment at this level shall be permitted to be in a cluster previously explored in the first or second year of the program.

(5) Time spent in exploring each cluster in the first or second year of the program shall be a minimum of one (1) period per day for six (6) weeks and a maximum of one (1) period per day for a semester. Time spent in each cluster in the third year of the program shall be a minimum of one (1) period per day for a semester, and a maximum of one (1) period per day for a year.

(6) Minimum standards for an exploratory program shall include that each student survey the content of the occupational cluster, two (2) occupationally related experiences that are the same as, or similar to, the experiences of a person who works in the occupational cluster, and the opportunity to systematically apply this knowledge and experience to his own aptitude, interest, and abilities.

(7) Other class arrangements for a specified time period may be approved before implementation by the Assistant Superintendent for Vocational Education.

Section 2. Although there is no official student organization for practical arts education, students may elect to enroll in other vocational student organizations if the bylaws of those organizations so permit.

Section 3. The vocational practical arts education program shall be provided classrooms or laboratories with furniture and equipment appropriate to the occupational cluster being taught. The facilities and equipment shall be approved by the Assistant Superintendent for Vocational Education. Minimum standards for new facilities and equipment shall be prepared and distributed by the Bureau of Vocational Education.

Section 4. The minimum qualifications for a teacher in a vocational practical arts education program shall be: (1) A provisional high school certificate for Kentucky.

(2) Work experience in the occupational cluster or clusters to be taught of a vocational certificate in the occupational area being taught.

(3) Experiences in directing students in an exploratory program or pre-service or in-service experiences in directing students in an exploratory program.

Section 5. A vocational practical arts education program shall be provided with approved mileage reimbursement for school bus transportation or other student transportation expenses associated with planned field trips, observations, work experience, or interviewing exploration classes.

Section 6. The practical arts education unit shall prepare course descriptions and criteria and distribute to local school districts when the criteria for approval are more specific than these program standards.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:07 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:100)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish program standards for secondary public service education programs.

Section 1. The following minimum standards shall apply to those schools offering a vocational public service occupations education program at the secondary level:

(1) The school shall offer a two (2) year public service education program of instruction in grades eleven (11) and twelve (12).

(2) Students shall have an occupational card on file specifying a planned sequence of instruction.

(3) The public service occupations education class shall meet for three (3) hours of classroom instruction and work experience and/or supervised on-the-job training per day.

Section 2. The Vocational Industrial Clubs of America (VICA) shall be the official student organization for public service occupations students.

Section 3. All vocational public service occupations teachers shall have a minimum of one (1) week extended employment

to attend the state vocational conference. Minimum additional extended employment shall be two (2) weeks.

Section 4. Teaching aids, required space, facilities, and equipment shall be approved by the Assistant Superintendent for Vocational Education. Minimum standards for new facilities and equipment shall be prepared and distributed by the Bureau of Vocational Education.

Section 5. The minimum qualifications for a secondary vocational public service occupations education teacher shall be: (1) High school diploma.

(2) Three (3) years work experience related to the occupation to be taught which shall be approved by the Assistant Superintendent for Vocational Education.

(3) Teacher shall hold a one (1) year vocational education certificate for public service occupations education and shall be approved by the Assistant Superintendent for Vocational Education.

Section 6. Supervised occupational work experience for students shall be three (3) hours per day. School attendance or work periods may be on alternate one-half (1/2) days, weeks, or other periods of time in fulfilling the cooperative vocational education program which shall be approved by the Assistant Superintendent for Vocational Education.

Section 7. The public service occupations education unit shall prepare class descriptions and criteria and distribute to local school districts when the criteria for approval are more specific than these program standards.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:07 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:170)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

SUPERSEDES: SBE 79.080 through 79.082

NECESSITY AND FUNCTION: To establish program standards for special vocational education programs at the secondary level.

Section 1. The following minimum requirements shall apply for schools offering a secondary special vocational education program:

(1) The program shall be designed primarily to serve disadvantaged and handicapped individuals and those persons whose need for vocational education are unique in that new and innovative methods or combinations of various areas of vocational education are indicated as being required.

(2) The school shall establish the need for the program based on diagnosis of students' needs, interests, abilities, and opportunities for becoming employable.

(3) Records of identification shall be on file at the school for students enrolled in special vocational education programs designed for disadvantaged and handicapped.

(4) Students shall be from any level of the secondary school population or an ungraded class.

(5) The curriculum and teacher's schedule shall be flexible and designed to meet the unique learning needs of the students.

Section 2. Students in special vocational education programs shall be permitted to participate in student organizations within respective vocational program areas if they meet the membership qualifications as set forth by each organization.

Section 3. All special vocational education teachers involved in programs of orientation and exploration in the world of work, which have components of work experience and interlocking cooperative vocational education programs, shall have a minimum of one (1) week extended employment to attend the state vocational conference. Minimum additional extended employment for teacher coordinators of work experience programs shall be four (4) weeks.

Section 4. The proposed program shall determine the type of classroom space (standard classroom, combination classroom-laboratory or mobile unit), furniture, and equipment appropriate for instruction for special vocational programs. The facilities and equipment shall be approved by the Assistant Superintendent for Vocational Education. Minimum standards for new facilities and equipment shall be prepared and distributed by the Bureau of Vocational Education.

Section 5. The minimum qualifications for a special vocational education teacher at the secondary level shall be: (1) A baccalaureate degree;

(2) A provisional or standard certificate for Kentucky; and

(3) One (1) year or 2,000 hours of wage-earning experience

in business and industry. The work experience shall be approved by the Assistant Superintendent for Vocational Education prior to employment.

Section 6. The special vocational functions unit shall prepare course descriptions and criteria and distribute to local school districts when the criteria for approval are more specific than these program standards.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:56 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:180)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish general standards for postsecondary vocational educational programs.

Section 1. Postsecondary vocational education programs shall be designed for occupational preparation of persons who have completed or left the regular high school. Students shall be at least sixteen (16) years of age and shall have counseling services before enrollment in vocational programs. The postsecondary program shall be organized on a fulltime basis during the day or evening hours. Students shall be permitted to enroll in all or any part of the scheduled program. Programs shall be offered in area vocational schools.

Section 2. A vocational student organization which is organized for postsecondary vocational students shall be an integral part of the instructional program.

Section 3. Minimum and maximum class size shall be based upon program design, available facilities, and approval of the required local plan.

Section 4. The vocational preparation program offered in area vocational schools shall provide a curriculum of sufficient length to permit students to acquire entry-level skills in the occupations for which they are training. A program shall be offered on a daily basis and on a time schedule which is consistent with good educational practice. New patterns shall be researched and piloted on a limited basis before implementation throughout the state. Such action shall be recommended by the Assistant Superintendent for Vocational Education.

Section 5. All postsecondary programs offered in state operated vocational schools shall meet minimum standards for state accreditation by the State Board of Education.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:07 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 4:190)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish general standards for adult vocational education programs.

Section 1. The adult vocational program curriculum offering shall be intensive units of instruction designed specifically to meet the immediate needs of the students enrolled. The units shall be either preparatory in nature or supplemental to the employment needs of the enrollee. A course outline specifying the individual units to be taught, objectives of the instruction, and estimated time devoted to each unit shall be submitted with a program application.

Section 2. Adult programs shall be designed to meet the needs of persons who have entered the labor market or are temporarily unemployed and need retraining in preparing for the new career.

Section 3. A minimum enrollment of ten (10) students shall be maintained for approval of an adult program in vocational education. A request to provide programs for smaller classes shall be submitted in writing and recommended by the program unit director before approval by the Assistant Superintendent for Vocational Education.

Section 4. Programs shall be offered for the number of hours necessary to meet the course objectives and scheduled appropriately for the participants. Courses shall consist of either a single short unit or multiple units that are related. Each program shall have specific objectives that are related to occupational goals and designed to meet the specific needs of the students.

Section 5. Student fees for adult vocational education programs shall be set annually by the State Board of Education.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:08 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 5:070)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

SUPERSEDES: SBE 72.300

NECESSITY AND FUNCTION: To define a regional vocational education program.

Section 1. A regional vocational education program shall include all vocational, technical, and adult basic education programs within a geographic region as designated by the State Board of Education to be served by a state vocational-technical school and area vocational education centers. The programs shall include all of those offered in the state vocational-technical schools, area vocational education centers, high schools, and other public educational institutions and agencies operating under contract with the Bureau of Vocational Education in accordance with the State Plans for the Administration of Vocational Education and Adult Basic Education.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:54 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 5:080)

RELATES TO: KRS 158.150, 163.030

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To establish the procedure for the suspension and expulsion of students from state vocational-technical schools and area vocational education centers.

Section 1. Teachers and administrators employed by a state vocational-technical school or an area vocational education center shall be responsible for the supervision and discipline of students during the time they are in attendance at a state-operated vocational facility.

Section 2. Secondary school students who are subject to disciplinary action shall be referred by the principal of a state vocational-technical school or the coordinator of an area vocational education center to the principal of the parent school in which the student is enrolled. The principal or coordinator shall submit in writing to the principal of the parent high school the reason(s) for disciplinary action. The principal of the parent high school shall respond to the vocational principal or coordinator as to the action to be taken. The vocational principal or coordinator will accept the decision of the local school authority and act accordingly.

Section 3. Any secondary student who is suspended or expelled from a participating local high school shall be considered suspended or expelled from the state vocational-technical school or area vocational education center in which the student is enrolled.

Section 4. The principal or coordinator of a state-operated vocational facility shall be authorized to suspend postsecondary or adult students for cause. No student shall be suspended for more than five (5) consecutive school days for any one (1) instance of misconduct. No student shall be suspended without first being afforded a hearing, and an opportunity to answer the reasons for suspension.

Section 5. (1) The regional director of vocational education shall be authorized to expel postsecondary or adult students for cause.

(2) No student shall be expelled from the institution without a hearing before a committee composed of the regional director, a regional program coordinator, and three (3) vocational instructors who are members of the school faculty. The regional director shall submit in writing to the Assistant Superintendent for Vocational Education within three (3) days a full report on the permanent suspension of any postsecondary or adult student. The decision to expel a student may be appealed to the State Board of Education.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:08 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 6:010)

RELATES TO: KRS 156.070, 163.030

PURSUANT TO: KRS 13.082

SUPERSEDES: SBE 74.100, 79.160, 79.380, 79.550, 79.560

NECESSITY AND FUNCTION: To establish standards for vocational teacher education programs in Kentucky and to set forth guidelines for the administration of funds made available to enrich vocational teacher education programs.

Section 1. Programs of vocational teacher education shall meet the following requirements: The Assistant Superintendent for Vocational Education shall recommend to the Superintendent of Public Instruction for his approval and recommendation to the State Board of Education a comprehensive program of teacher education for all programs of vocational, technical, and adult basic education which are the responsibility of the State Board of Education.

Section 2. An institution approved to provide teacher education in vocational education and requesting financial support from the Bureau of Vocational Education shall have and maintain the following standards:

(1) The curriculum shall meet the certification standards for teaching the vocational subject for which the program is intended and as spelled out in state board regulations relating to certification. The curriculum shall provide for both technical and professional education as required.

(2) Teacher educators shall hold a master's degree or higher in the vocational area for which they are preparing teachers and a minimum of two (2) years teaching experience in vocational education. There shall be sufficient staff to offer a comprehensive teacher education program including the technical and professional training.

(3) Student teaching centers shall be selected by the vocational teacher educators in the institution providing the teacher education program and shall be approved by the Assistant Superintendent for Vocational Education or his designated representative. Student teaching centers shall meet the following criteria:

(a) The vocational curriculum for which the center is to be used to provide student teaching shall be comprehensive and of outstanding quality. Centers used for agriculture and home economics shall have a planned instructional program for adults. With the exception of health occupations, vocational student organizations shall be an integral part of the instructional program.

(b) Supervising teachers shall have demonstrated competencies in use of effective teaching techniques, have a minimum of two (2) years teaching experience in the vocational area for which they are supervising student teachers, have had instruction in supervising the student teaching experience, and have the following additional qualifications:

1. Agriculture: Master's Degree in Agriculture Education.
2. Business and Office: Master's Degree in Business Education.
3. Marketing and Distribution: Bachelor of Science Degree.
4. Home Economics: Master's Degree in Home Economics Education.
5. Health: Bachelor of Science Degree and ten (10) year Teaching Certificate.
6. Industrial: Ten (10) year Teaching Certificate.

(c) Time is provided for supervising teachers to work with student teachers.

(d) Facilities, equipment, teaching materials, and libraries shall meet the minimum qualifications as established by the Bureau of Vocational Education.

(e) The supervision of the student teaching shall be the responsibility of the supervising teacher and the teacher educator in the vocational subject area for which student teaching is to be provided. The teacher educator providing supervision shall be a member of the vocational education staff of the institution providing the teacher education program.

(4) Institutions providing teacher education programs shall maintain libraries, facilities, and equipment necessary to

support an up-to-date, quality program in the vocational area for which they are providing teacher education.

Section 3. (1) The Assistant Superintendent for Vocational Education shall approve federal vocational funds to enrich the vocational teacher education program. Federal funds shall not be used to replace or supplant funds for teacher education allotted to the institution. Funds approved by the Assistant Superintendent for Vocational Education shall be used for:

- (a) Follow-up of first year teachers;
- (b) Travel, beyond that normally supported by the institution of higher education, as necessary to provide a more effective vocational teacher education program. This may include travel of student teachers to supervise experience programs;
- (c) Research which contributes to the research program as established by the Bureau of Vocational Education;
- (d) Curriculum development which contributes to the curriculum development program as established by the Bureau of Vocational Education;
- (e) In-service education as requested and approved by the Assistant Superintendent for Vocational Education;
- (f) Off-campus student teaching cost as salaries of supervising teachers; and
- (g) Other support services that are over and above the regular teacher education offered in other program areas at the institution and as approved by the Assistant Superintendent for Vocational Education.

(2) Colleges and universities shall submit an annual and five (5) year plan for vocational teacher education on forms and in a format recommended by the Bureau of Vocational Education. The plan shall be in sufficient detail to show evidence of supporting the vocational education program in Kentucky and shall include a budget. In no case shall colleges and universities be reimbursed for more than fifty (50) percent of the cost of the vocational teacher education program.

Section 4. Teacher education programs shall be evaluated periodically by the staff members of the institution, representatives of the Bureau of Vocational Education and the Division of Teacher Education and Certification of the Department of Education. This evaluation shall be structured so as to determine how well the institution is meeting the objective of preparing teachers of vocational education and to determine if the institution is conforming to the regulations of the State Board of Education as they pertain to preparing teachers of vocational education.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 11:56 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 10:030)

RELATES TO: KRS 163.340

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To reduce the excessive bonding requirements for flight schools that collect no advance fees.

Section 1. A flight school that does not collect tuition or other fees in advance shall submit a surety bond of \$5,000.

Section 2. One flight school owner who acts as an agent shall be exempt from the agent permit fee and agents surety bond requirement; all other owners acting in a similar capacity shall comply with the requirements for issuance of an agents permit.

LYMAN V. GINGER

Superintendent of Public Instruction

ADOPTED: March 19, 1975

RECEIVED BY LRC: April 2, 1975 at 12:08 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Oil and Gas
(305 KAR 1:060)

RELATES TO: KRS 353.550

PURSUANT TO: KRS 13.082, 353.560

SUPERSEDES: OAG-Rg-4

NECESSITY AND FUNCTION: KRS 353.560 requires the department to regulate the plugging of all wells. This regulation identifies the minimum acceptable requirements to plug or temporarily abandon wells drilled through non-coal bearing strata.

Section 1. Unless written permission shall be obtained from the department, no operator or owner shall permit any well drilled for oil, gas, salt water disposal or any other purpose in connection with the production of oil and gas, to remain unplugged after such well is no longer used for the purpose for which it was drilled or converted. However, nothing herein shall prevent the department, upon application and for good cause shown, from issuing a temporary permit, for a period not exceeding two (2) years, to an operator to leave a well unplugged, and nothing herein shall alter the provisions of KRS 353.170 relative to utilizing a well for the purpose of introducing air, gas, water or other liquid pressure into or upon the producing strata for the purpose of recovering oil and gas. The permission for temporary abandonment may be renewed at the end of the two (2) year period by reapplication. All wells on which a temporary abandonment permit has been issued shall be cased and capped in such a manner so as to protect all potential oil and/or gas zones and fresh water.

Section 2. Before any work is commenced to plug and abandon any well the owner or operator thereof shall give notice to the department of his intention to abandon such well. Notice shall be given in the manner specified by the department. A duly authorized representative of the department may be present at the time and place specified to supervise the plugging of such well.

Section 3. Wells not drilled through coal-bearing strata may be plugged as follows:

(1) The bottom of the hole shall be filled to the top of each producing formation, or a bridge shall be placed at the top of each producing formation, and in either event a cement plug not less than fifteen (15) feet in length shall be placed immediately above each producing formation whenever possible.

(2) A cement plug not less than fifteen (15) feet in length shall be placed immediately below all fresh water bearing strata.

(3) A plug shall be placed at the surface of the ground in each hole plugged in such a manner as not to interfere with soil cultivation.

(4) An uncased rotary hole drilled with the aid of liquid shall be plugged with approved heavy mud up to the base of the surface string at which point a plug of not less than fifteen (15) feet of cement shall be placed. The hole shall also be capped similar to other abandoned holes.

(5) Any well in which casing has been cemented from surface to total depth and no casing can be pulled may be plugged as follows: The bottom of the hole shall be filled to the top of the producing formation and a cement plug not less than fifteen (15) feet in length shall be placed above this fill. A surface plug shall be placed as provided in subsection (3) of this section. No intermediate plugs will be required.

(6) The operator shall have the option as to the method of placing cement in the hole by (i) dumb bailer, (ii) pumping through tubing, (iii) pump and plug, or (iv) other method approved by the director.

Section 4. Within thirty (30) days after the plugging of any well has been accomplished, the owner or operator thereof shall file a plugging report with the department setting forth in detail the method used in plugging the well. Such report shall be made on a form provided by the department.

Section 5. When the well to be plugged may safely be used as a fresh water well, and such utilization is desired by the landowner, the well need not be filled above the required sealing plug set below fresh water; provided, that written authority for such use is secured from the landowner and filed with the department.

Section 6. If a person fails to comply with this regulation, any person lawfully in possession of land adjacent to or in the neighborhood of the well may enter on the land upon which the well is located and plug the well in the manner provided in KRS 353.180(1) or this regulation, and may maintain a civil action against the owner or person abandoning the well, jointly or severally, to recover the cost of plugging the well. This subsection shall not apply to persons owning the land on which the well is situated, and drilled by other persons.

HENRY M. MORGAN, Director

ADOPTED: April 7, 1975

APPROVED: H. N. KIRKPATRICK, Commissioner

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 8, 1975 at 2:08 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Director, Division of Oil and Gas, Department of Mines and Minerals, P. O. Box 680, Lexington, Kentucky 40501. Telephone 606-254-0367 or 606-254-0368.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Oil and Gas
(805 KAR 1:070)

RELATES TO: KRS 353.550

PURSUANT TO: KRS 13.082, 353.560

SUPERSEDES: OAG-Rg-5

NECESSITY AND FUNCTION: KRS 353.560 requires the department to regulate the plugging of all wells. This regulation

identifies the minimum acceptable requirement to plug, or temporarily abandon wells, drilled through coal-bearing strata.

Section 1. Unless written permission shall be obtained from the department, no operator or owner shall permit any well drilled for oil, gas, salt water disposal or any other purpose in connection with the production of oil and gas, to remain unplugged after such well is no longer used for the purpose for which it was drilled or converted. However, nothing herein shall prevent the department, upon application and for good cause shown, from issuing a temporary permit, for a period not exceeding two (2) years, to an operator to leave a well unplugged, and nothing herein shall alter the provisions of KRS 353.170 relative to utilizing a well for the purpose of introducing air, gas, water or other liquid pressure into or upon the producing strata for the purpose of recovering oil and gas. The permission for temporary abandonment may be renewed at the end of the two (2) year period by reapplication. All wells on which a temporary abandonment permit has been issued shall be cased and capped in such a manner as to protect all potential oil and/or gas zones and coal beds and vented in such a manner so as to prevent the accumulation of gas in the bore hole.

Section 2. Prior to the abandonment of a well drilled through a workable coal bed the well operator shall notify, by registered mail, the owner or owners of record and lessee(s) of record and operators of the coal bed(s) and the proper oil and gas inspector of the intention to plug and abandon the well. The notice shall give the permit number of the well and its location, and fix the time at which the work of plugging and filling will be commenced, the time not to be less than five (5) days after the day on which the notice is received, or in due course should be received, by the department. The department shall prescribe the form of notice to be used. A representative or representatives of the coal operator or owner and of the department may be present at the plugging and filling of the well. Whether or not such representatives appear, the well operator may proceed, at the time fixed, to plug and fill the well. When the plugging and filling have been completed, an affidavit setting forth the time and manner in which the well was plugged shall be made in triplicate by two (2) experienced men who participated in the work. The affidavit shall be made on forms furnished by the department. One (1) copy of the affidavit shall be retained by the well operator, one (1) mailed to each coal operator and each owner, and one (1) to the department.

Section 3. When any well drilled through a workable coal bed is abandoned, it shall at that time be plugged to a point forty (40) feet below the lowest workable coal bed, in the following manner: The hole shall be filled with mud, clay or other non-porous material from the bottom to a point twenty (20) feet above the top of the lowest oil, gas or water-bearing strata, or a permanent bridge shall be anchored thirty (30) feet below its lowest oil, gas or water-bearing strata, and from this bridge it shall be filled with mud, clay or other non-porous material to a point twenty (20) feet above the strata, at which point there shall be placed a plug of cement or other suitable material that will completely seal the hole. Between this sealing plug and a point twenty (20) feet above the next higher oil, gas or water-bearing strata, the hole shall be treated in a like manner and at that point there shall be placed another suitable plug, that will completely seal the hole. In a like manner the hole shall be filled and plugged or bridged, filled and plugged, with reference to each of its oil, gas or water-bearing strata. Whenever such strata are not widely separated and are free from water, they may be grouped and treated as a single productive stratum. After plugging all strata, a final plug shall be anchored approximately ten (10) feet below the bottom of the largest casing in the well and from that point to the surface the well shall be filled with mud, clay or other non-porous material.

Section 4. If any of the strata in the well have been shot, creating cavities that can not readily be filled in the manner described in Section 3, the well operator shall follow either of the following methods:

(1) If the stratum that has been shot is the lowest one in the well there shall be placed, at the nearest suitable point but not less than twenty (20) feet above the stratum, a plug of cement or other suitable material that will completely seal the hole; but if the shooting has been done above one or more oil or gas-bearing strata in the well, plugging in the manner specified shall be done at the nearest suitable point, but not less than twenty (20) feet below and above the stratum shot.

(2) When the cavity is in the lowest oil or gas-bearing stratum in the well, a liner shall be placed which shall extend from below the stratum to a suitable point, but not less than twenty (20) feet above the stratum in which the shooting has been done; but if the shooting has been done above one or more oil or gas-bearing strata in the well, the liner shall be so placed that it will extend not less than twenty (20) feet above or less than twenty (20) feet below the stratum in which shooting has been done. After the liner is placed, it shall be compactly filled with cement, clay or other non-porous sealing material.

Section 5. When a well has been filled and securely plugged to a point forty (40) feet below the lowest workable coal bed, and in the judgment of the well operator, the coal operator and the department a permanent outlet to the surface is

required, the outlet shall be provided in the following manner: A plug of cement or other suitable material shall be placed in the well at a suitable point, not less than ten (10) feet below the lowest workable coal bed. In this plug and passing through the center of it shall be securely fastened an open pipe, not less than two (2) inches in diameter, which shall extend to the surface. At or above the surface the pipe shall be provided with a device that will permit the free passage of gas and prevent obstruction. After the plug and pipe are set, the hole shall be filled with cement to a point ten (10) feet above the lowest workable coal bed. If there are additional overlying workable coal beds, they shall be treated similarly, if in the judgment of the well operator, the coal operator and the department such treatment is necessary. If the parties can not agree, the decision of the department shall control.

Section 6. In this regulation where mention is made of a "cement plug" or "suitable plug" this is defined to mean hydraulic cement properly mixed with water only. Such plug shall fill not less than fifteen (15) feet of bore hole when placed.

Section 7. In Section 2 of this regulation the word "time" shall be both the hour and the day at which the work of plugging and filling will be commenced.

Section 8. When the well to be plugged may safely be used for a fresh water well, and such utilization is desired by the landowner and is agreeable to the owner or operator of all coal-bearing strata beneath the location of said well, the well need not be filled above the required sealing plug set below fresh water; provided, that written authority for such use is secured from the landowner, and coal owner or operator, and filed with the department.

Section 9. Within thirty (30) days after the plugging of any well has been accomplished, the owner or operator thereof shall file a plugging report with the department setting forth in detail the method used in plugging the well. Such report shall be made on a form provided by the department.

Section 10. The operator shall have the option as to the method of placing cement in the hole by (i) dump bailer, (ii) pumping through tubing, (iii) pump and plug, or (iv) other method approved by the director.

Section 11. Care is to be taken to insure that when the hole is being filled with mud, clay, or other non-porous material that the hole does not bridge and prohibit the filling of the entire hole as required.

HENRY M. MORGAN, Director

ADOPTED: April 7, 1975

APPROVED: H. N. KIRKPATRICK, Commissioner

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 8, 1975 at 2:08 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Director, Division of Oil and Gas, Department of Mines and Minerals, P. O. Box 680, Lexington, Kentucky 40501. Telephone (606)-254-0367 or 606-254-0368.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Oil and Gas
(805 KAR 1:080)

RELATES TO: KRS 353.500, 353.520, 353.540, 353.550, 353.560

PURSUANT TO: KRS 13.082, 353.540, 353.670

SUPERSEDES: O&G-M&M-7

NECESSITY AND FUNCTION: Provides for the protection of the integrity of gas storage reservoirs by requiring certain techniques of drilling, casing, operating and plugging be applied when operating in the vicinity of gas storage reservoirs.

Section 1. Purpose. Rules and regulations set out herein are designed for the protection of gas storage reservoirs which are natural resources of the state, and no person, firm or corporation shall cause physical damage to, or create a hazardous condition threatening the existence of such a reservoir in any manner as to make any such reservoir less susceptible for use for gas storage. Any well penetrating, drilled to a geologic stratum overlying, and drilled in the vicinity of an underground gas storage reservoir shall be maintained at all times in such a manner as will both: (i) exclude the encroachment of oil, gas or water into such reservoir, and (ii) protect such reservoir from a blowout or waste of gas during the drilling of and after completion and/or plugging of such well. In addition, this regulation has as its purpose the equitable adjustment of correlative rights of gas storage owners and oil and gas operators and it shall be liberally construed to give effect to such public policy.

Section 2. Definitions. (1) "Gas storage reservoirs" are special geologic and geometric elements of underground strata which are or can be so arranged and situated as to be recognized as useful for the retention, injection, storage and recovery of gas therefrom, on a commercial service level.

(2) "Underground gas storage" is the utilization of

sub-surface strata and associated facilities for storing and withdrawing gas held in place for the primary purposes of conservation, fuller utilization of pipeline facilities, and more effective and beneficial service of gas to the public.

(3) "Gas storage operator" is any corporation, partnership, or individual who is engaged in the work of preparing to inject, or who injects gas into, or who stores gas in, or removes gas from, a gas storage reservoir, and who owns the right to do so, including but not limited to those engaged in transporting and delivering such gas in public service.

(4) "Well operator" is any person who proposes to or does locate, drill, operate or abandon any well.

(5) "Well" is any borehole drilled or proposed to be drilled, deepened or reopened for which a permit is required by KRS 353.570 (1).

Section 3. Establishment of a gas storage reservoir. (1) Before any area may be declared to contain one or more gas storage reservoirs for the purpose of this regulation the gas storage operator shall file with the Director of Oil and Gas Conservation as to each such reservoir, a certificate of convenience, issued by the Federal Power Commission or its successor, if such is issued, a certificate of convenience issued by the Kentucky Public Service Commission or its successor, if such is issued, or a declaration of intent, found by the department to be bona fide, prepared by the gas storage operator to develop a gas storage facility. The above cited filing shall be accompanied by a map, prepared on the scale of one (1) inch equals 2,000 feet and using the appropriate seven and one-half (7 1/2) minute topographic map as the base, which outlines in detail the properties on which storage rights have been or are being obtained, whether by purchase or condemnation, and an outline of the storage reservoir protection zone as suggested by the storage operator. This protection zone shall be no wider than 2,000 feet from the nearest property on which gas storage rights have been or are being obtained and the width shall be subject to the approval of the department based on the characteristics of the reservoir and the maximum anticipated storage pressure.

(2) The required map shall be refiled at any time that storage rights on additional acreage are acquired or at any time that acreage on which storage rights have been acquired is eliminated.

(3) No gas shall be moved and stored until the above cited filing is made with the director. This does not include moved and stored gas which is to be used to determine whether or not underground gas storage is feasible.

(4) Any operator of an existing gas storage reservoir shall file the above cited certificate or declaration and map with the director within sixty (60) days of the date that this regulation becomes effective.

Section 4. Application for permit to drill, deepen or reopen a well on property where gas storage rights are acquired. (1) Before drilling, deepening or reopening a well on any property where gas storage rights have been acquired the well operator shall at the time of filing with the department also forward to the gas storage operator by registered or certified mail, or by personal service a copy of the application and plat.

(2) On any property where there is an outstanding oil and gas lease or on any property on which producing wells are located it shall be the responsibility of the gas storage operator to notify the well operator at the time storage rights are acquired of such acquisition and that a copy of all future applications to drill, deepen, or reopen wells by the well operator shall be furnished to the gas storage operator.

Section 5. Application for permit to drill, deepen, or reopen a well on property where gas storage rights are not acquired but which lies within the storage reservoir protection zone. When any application for permit to drill, deepen, or reopen a well is received by the department where the location of the proposed well will fall within the storage reservoir protection zone, the department shall notify the well operator and the gas storage operator of the receipt of the application by first class mail, postage prepaid.

Section 6. Objection and hearing. (1) Upon receipt of an application to drill, deepen, or reopen a well on any property on which gas storage rights have been or are being acquired or upon any property which lies within the storage reservoir protection zone, the department shall hold the application for five (5) days. This will enable the gas storage operator to file with the department specific objections to the proposed well; and if the objections are so filed, the gas storage operator shall, at the same time, serve the same upon the well operator by registered or certified mail, or by personal service and the department shall fix a time and a place for a hearing, not more than ten (10) days after the end of the five (5) day period, at which hearing the objections shall be considered. At the hearing, the well operator and the gas storage operator or such of those as are present or represented, shall consider the objections and either agree upon the drilling of the well as proposed or make such change in the drilling program as to satisfy all objections and meet the approval of the department. All changes agreed upon in the drilling of such well shall be set out on an amended application for permit to drill by the well operator and filed with the department within a reasonable period of time after the hearing. The department, upon receipt of the amended application, shall issue to the well operator a drilling permit approving the drilling of such well. If the gas storage operator and the well operator are unable to agree at the hearing,

the department shall, in view of the purpose and intent of KRS Chapter 353, issue to the well operator a permit to drill such well either as originally proposed or with such added or corrective program as the department deems appropriate to protect the underground gas storage reservoir and prevent the loss of gas therefrom without unnecessarily restricting drilling operations.

(2) If the gas storage operator and the well operator can not agree on the program under which the well is to be drilled, completed and plugged, the department shall in its order specify what costs, if any, in excess of costs normally expended in the drilling, completion, and plugging of the well shall be borne by the gas storage operator and shall specify when and in what manner payment for such costs shall be made.

(3) The gas storage operator may waive objections by letter, telegram, or telephone, provided such telephone notice of waiver is followed by a written waiver, to the department on any one (1) well, group of wells, all wells to be drilled by a well operator, all wells to be drilled in a specific area or on a specific lease. If such waiver or waivers are filed with the department, and the department having determined that the public interest is being subserved, the department shall issue the permit without delay.

Section 7. Notice to well operator. The gas storage operator shall give to the well operator a notice of intention to drill, deepen, or reopen a well in the manner provided for in Section 4 of this regulation. Notice shall be required only to the well operator in possession at the time rights of storage are acquired or his successor in interest if the latter notifies the gas storage operator in writing of his acquisition. The well operator shall have the same rights and obligations as does the gas storage operator with respect to objections and hearing as detailed in Section 6 of this regulation.

Section 8. Notice of intention to plug wells. (1) Prior to the abandonment of a well drilled through or which penetrates an underground gas storage reservoir, or which is drilled through or which penetrates the same stratigraphic horizon as the gas storage reservoir in the storage reservoir protection zone, the well operator shall notify the gas storage operator and the department of their intention to plug and abandon the well. The notice shall be timely and reasonable in order that representatives of the gas storage operator and the department will have the opportunity to be present at the plugging and filling of the well. Whether or not such representatives appear, the well operator may proceed, at the time fixed in his notice, to plug and fill the well.

(2) Upon receipt of notice of intention to plug, the gas storage operator may, at his option, and after determining from the well operator the physical condition of the well, elect to plug the well and bear the entire cost of plugging. The option may be exercised only for the purpose of plugging the well. If the option is exercised, the gas storage operator shall notify in writing both the well operator and the department of his election. The well operator shall then advise in writing both the gas storage operator and the department the condition of the well, any equipment or pipe that may be in the well and the existence and type of any equipment or materials that have been lost in the hole. Upon receipt by the department of the notice required of the gas storage operator and the advice required of the well operator, the department shall cause the well operator's bond to be released and the well shall be placed under the bond of the gas storage operator.

(3) When the plugging and filling have been completed, an affidavit setting forth the time and manner in which the well was plugged shall be made by two (2) experienced men who participated in the work. The affidavit shall be made on forms furnished by the department. One (1) copy of the affidavit shall be retained by the person that caused the well to be plugged, one (1) mailed to the gas storage operator or the well operator and one (1) to the department.

Section 9. Drilling against high reservoir pressures. Whenever possible, the drilling into or through storage reservoirs will be conducted when the reservoir pressure is equal to or less than the original formation pressure and such original formation pressure shall be provided by the gas storage operator.

Section 10. Nothing in this regulation shall be construed to prohibit a well operator or a gas storage operator from drilling a well that he would otherwise have the right to drill.

HENRY M. MORGAN, Director

ADOPTED: April 7, 1975

APPROVED: H. N. KIRKPATRICK, Commissioner

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 8, 1975 at 2:09 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Director, Division of Oil and Gas, Department of Mines and Minerals, P. O. Box 680, Lexington, Kentucky 40501. Telephone: 606-254-0367 or 606-254-0368.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Explosives and Blasting
(805 KAR 4:010)

RELATES TO: KRS 351.320, 351.330, 351.340, 351.990

PURSUANT TO: KRS 13.082, 351.340

SUPERSEDES: E&B-M&M-1

NECESSITY AND FUNCTION: KRS 351.320 requires the Department of Mines and Minerals to license blasters. This regulation spells out the licensing requirements and duties of a blaster to effect this law.

Section 1. Licensing of Blasters. (1) No person shall cause detonation of explosives in any blasting operation in which more than five (5) pounds of explosives or the equivalent are used in a single charge unless he has passed an examination, prescribed by the department, which shall test the examinee's skill and knowledge of the principles and practice of blasting operations and the storage, moving, handling and detonation of explosives.

(2) If the applicant is successful in passing the examination, a license to detonate explosives shall be issued upon the payment of an additional fee of five dollars (\$5).

(3) The department shall issue a license without examination to any applicant who shall show to the department that he has, on June 16, 1972, had three (3) years experience in the handling and use of explosives.

(4) Each blaster shall be required to renew his license each year by application to the department, which application shall be accompanied by a fee of three dollars and fifty cents (\$3.50). The commissioner may suspend any license for due cause but no license may be revoked until the licensee has been granted a hearing.

(5) The definition of a blaster for the purpose of a license is:

(a) A blaster is a person who makes any or all of the following decisions:

1. Decides hole size, spacing, or depth;
2. Decides total quantity of explosives;
3. Decides quantity of explosive in each hole;
4. Decides timing delays to be used.

(b) He must be present when the charge is detonated and either physically detonates the charge or gives the order to detonate the charge.

(6) A licensed blaster shall not take instruction on the activities covered in subsection (5) from a person not holding a blaster's license.

D. T. PROEDGE, Director

ADOPTED: April 7, 1975

APPROVED: H. N. KIRKPATRICK, Commissioner

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 8, 1975 at 2:06 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Director, Division of Explosives and Blasting, Department of Mines and Minerals, P. O. Box 680, Lexington, Kentucky 40501. Telephone 606-254-0367 or 606-254-0368.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Explosives and Blasting
(805 KAR 4:020)

RELATES TO: KRS 351.320, 351.330, 351.340, 351.990

PURSUANT TO: KRS 13.082, 351.340

SUPERSEDES: E&B-M&M-2

NECESSITY AND FUNCTION: KRS 351.330 requires the Department of Mines and Minerals to limit ground vibrations. This regulation effects the provisions of that law.

Section 1. Blasting Standards. (1) In all blasting operations, except as hereinafter otherwise provided, the maximum peak particle velocity of the ground motion in any direction shall not exceed two (2) inches per second at the immediate location of any dwelling house, public building, school, church, commercial or institutional building.

(2) This ground velocity limit is not construed to mean on property owned, leased, or contracted by the blaster or blaster's company or on property on which the owner gives a written waiver.

(3) No two (2) consecutive subcharges within any charge shall be separated by a delay time of less than eight (8) milliseconds.

(4) The department will furnish a table for determining the maximum amount of explosives to be used per delay period.

(5) The standard table for the maximum charge per delay period shall be for distances greater than 300 feet generated by the formula:

$$W = \frac{D \times D}{50 \times 50}$$

Where W is the weight of explosive in pounds and D is the distance to the nearest dwelling house, public building, school, church, commercial or institutional building in feet. On sites where the department decides it necessary to comply with the provision of the law this formula may be altered.

(6) For the purpose of well shooting below 100 feet, the table shall be generated by the formula:

$$W = \frac{D}{50} \times \frac{D}{50} \times \frac{D}{50}$$

Where W is the total weight of explosives in the hole and D is the distance from the charge to the nearest dwelling house, public building, school, church, commercial or institutional building.

(7) If on a particular site the peak ground particle continuously exceeds one-half (1/2) inch per second after a period of one (1) second following the maximum ground particle velocity, the department shall require the total time delay of blasting operations to be less than 200 milliseconds or the charge per delay be reduced so that this limit is complied with.

(8) For distances less than 300 feet the following table will be used:

ACTUAL DISTANCE IN FEET	POUNDS PER DELAY INTERVAL OF 8 MILLISECONDS OR GREATER
5 - 10	1/8 lb.
11 - 15	1/4 lb.
16 - 20	1/2 lb.
21 - 25	3/4 lb.
26 - 30	1.0 lb.
31 - 300	1 pound plus 1/8 pound for each foot of distance above 30 feet.

Less than 5 feet the total charge should not exceed 1/8 pound.

(9) If explosive charges of greater than 40,000 pounds are necessary, a permit must be obtained from the Department of Mines and Minerals. The department shall consider each case on its own merits in making a determination as to whether or not to grant such a permit.

ADOPTED: April 7, 1975
APPROVED: H. N. KIRKPATRICK, Commissioner
APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 8, 1975 at 2:06 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Director, Division of Explosives and Blasting, Department of Mines and Minerals, P. O. Box 680, Lexington, Kentucky 40501. Telephone 606-254-0367 or 606-254-0368.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Explosives and Blasting
(805 KAR 4:030)

RELATES TO: KRS 351.320, 351.330, 351.340, 351.990
PURSUANT TO: KRS 13.082, 351.340
SUPERSEDES: E&B-M&M-3

NECESSITY AND FUNCTION: KRS 351.330 requires the Department of Mines and Minerals to limit ground vibrations. This regulation effects the provisions of that law.

Section 1. Seismograph Measurements. (1) If a blaster decides that the table provided by the department is too conservative, he may on fifteen (15) days notification of the Department of Mines and Minerals use seismograph measurements and increase the charge per delay period, provided the velocity of two (2) inches per second limit is not violated. He must use the seismograph on every shot thereafter so long as the table is not being complied with. If the blaster decides to return to the use of the table, he may do so by notifying the department fifteen (15) days in advance.

(2) If a blaster considers the table too conservative for his particular area, he may upon submission of seismograph reports, petition for a modified table for blasting operation at that particular site but in no case shall the department allow a table that would permit velocities above the two (2) inch per second limit on structures covered by KRS 351.330.

(3) In making a seismograph determination of the velocity at a particular position, the following formula shall be used:

$$V = V_0 \left(\frac{D_0}{D} \right)^{1.5}$$

Where V_0 is the maximum ground particle velocity at the seismograph, D_0 is the distance of the seismograph from the blast, and D is the distance from the blast to the position in question and in the same general direction. The distance D_0 may not be greater than D , and D cannot be more than five (5) times D_0 . This determined velocity at the site or any dwelling house, public building, school, church, commercial or institutional building shall not exceed the two (2) inches per second limit.

(4) If the department believes that a blaster is operating illegally under the provisions of these regulations, the department may require a seismograph recording of any or all blasts.

ADOPTED: April 7, 1975
APPROVED: H. N. KIRKPATRICK, Commissioner
APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 8, 1975 at 2:07 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Director, Division of Explosives and Blasting, Department of Mines and Minerals, P. O. Box 680, Lexington, Kentucky 40501. Telephone 606-254-0367 or 606-254-0368.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Explosives and Blasting
(805 KAR 4:040)

RELATES TO: KRS 351.320, 351.330, 351.340, 351.990

PURSUANT TO: KRS 13.082, 351.340

SUPERSEDES: E&B-M&M-4

NECESSITY AND FUNCTION: KRS 351.330 requires the Department of Mines and Minerals to limit ground vibrations. This regulation effects the provisions of that law.

Section 1. Instrumentation. (1) All portable displacement seismographs currently in use will be approved until further notice by the Department of Mines and Minerals.

(2) A direct reading velocity instrument shall be approved by the Department of Mines and Minerals only if it has a frequency range of five (5) cycles per second to 150 cycles per second or greater, a velocity range from zero to 2.0 inches per second or greater, adheres to design criteria for portable seismographs as outlined in USBM RI-5708, USBM RI-6487, and meets such standards as are established from time-to-time by the Department of Mines and Minerals.

(3) Instruments of both the direct reading velocity type and the displacement type will be approved by the Department of Mines and Minerals for use as follows:

(a) Particle velocity reading may be calculated from results obtained by a displacement instrument or obtained from an approved direct reading velocity instrument in any blasting operation where all of the following conditions exist:

1. Recording distance is over 200 feet from the blast;
2. Scaled distance is numerically greater than twenty-five (25);
3. Frequency range is forty (40) cycles per second or less.

(b) A direct reading velocity instrument will be required in any blasting operation where all of the following conditions exist:

1. Recording distance is less than 200 feet from the blast;
2. Scaled distance is numerically less than fifty (50).

(c) A direct reading velocity instrument will be required in any blasting operation where all of the following conditions exist:

1. Recording distance is more than 200 feet from the blast;
2. Scaled distance is numerically less than twenty-five (25).

(d) A direct reading velocity instrument will be required in any blasting operation where all of the following conditions exist:

1. Recording distance is more than 200 feet from the blast;
2. Frequency range is in excess of forty (40) cycles per second;

(e) Scaled distance is defined as:

$$Ds = \frac{D}{\text{square root of } W}$$

Where D is the actual distance in feet and W is the weight of explosives in pounds per delay period of eight (8) milliseconds or greater.

(4) Any seismic reports submitted to this office for compliance or petition must be accompanied by most recent calibration report on seismograph.

(5) Beginning January 1, 1977, all velocity seismographs used for compliance or petition must have internal calibration capability.

ADOPTED: April 7, 1975
APPROVED: H. N. KIRKPATRICK, Commissioner
APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 8, 1975 at 2:09 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Director, Division of Explosives and Blasting, Department of Mines and Minerals, P. O. Box 680, Lexington, Kentucky 40501. Telephone 606-254-0367 or 606-254-0368.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Explosives and Blasting
(805 KAR 4:050)

RELATES TO: KRS 351.320, 351.330, 351.340, 351.990

PURSUANT TO: KRS 13.082, 351.340

SUPERSEDES: E&B-M&M-5

NECESSITY AND FUNCTION: KRS 351.330 requires the Department of Mines and Minerals to require blasters to keep records. This regulation specifies what records are to be kept.

Section 1. Records. A record of each blast shall be kept. All records including seismograph reports shall be retained at least five (5) years and shall be available for inspection by the Department of Mines and Minerals and shall contain the following minimum data:

- (1) Name of company or contractor.
- (2) Location, date and time of blast.

- (3) Name, signature and license number of blaster in charge.
- (4) Type of material blasted.
- (5) Number of holes, burden and spacing.
- (6) Diameter and depth of holes.
- (7) Types of explosives used.
- (8) Total amount of explosives used.
- (9) Maximum amount of explosives per delay period of eight (8) milliseconds or greater.
- (10) Method of firing and type of circuit.
- (11) Direction and distance in feet to nearest dwelling house, public building, school, church, commercial or institutional building neither owned nor leased by the person conducting the blasting.
- (12) Weather conditions.
- (13) Type and height or length of stemming.
- (14) If mats or other protections were used.
- (15) Type of delay electric blasting caps used and delay periods used.
- (16) The person taking the seismograph reading shall accurately indicate exact location of seismograph if used, and shall also show the distance of seismograph from blast.
- (17) Seismograph records, where required:
 - (a) Name of person and firm analyzing the seismograph record.
 - (b) Seismograph reading.
- (18) Maximum number of holes per delay period of eight (8) milliseconds or greater.

D. T. FROEDGE, Director

ADOPTED: April 7, 1975

APPROVED: H. N. KIRKPATRICK, Commissioner

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 8, 1975 at 2:07 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Director, Division of Explosives and Blasting, Department of Mines and Minerals, P. O. Box 680, Lexington, Kentucky 40501. Telephone 606-254-0367 or 606-254-0368.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Explosives and Blasting
(805 KAR 4:060)

RELATES TO: KRS 351.320, 351.330, 351.340, 351.990

PURSUANT TO: KRS 13.042, 351.340

SUPERSEDES: E&B-M&M-6

NECESSITY AND FUNCTION: KRS 351.330 requires the Department of Mines and Minerals to provide rules and regulations for blasting near public highways, streams, dwelling houses, public buildings, schools, churches and commercial and institutional buildings. This regulation provides those rules and regulations.

Section 1. Blasting Safety. (1) When blasting operations, other than those conducted at a fixed site as a part of any industry or business operated at such site, are to be conducted within 200 feet of a pipe line, the blaster or person in charge of the blasting operations shall take due precautionary measures for the protection of the line, and shall notify the owner of the line or his agent that such blasting operations are intended.

(2) Blasting operations near streams shall be prohibited in all cases where the effect of the blasting is liable to change the course or channel of any stream without first obtaining a permit from the department which has been approved by the Division of Water, Department for Natural Resources and Environmental Protection.

(3) Muddcapping in blasting operations shall be permitted only where it would endanger the safety of the workmen to drill the rock or material to be blasted. If muddcapping is necessary, no more than ten (10) pounds of explosives shall be used for each charge.

(4) All trunk lines of detonating cord may be covered, except that trunk lines of detonating cord must be covered if located within 800 feet of any public highway, dwelling house, public building, school, church, commercial or institutional building.

(5) When the use of detonating cord would cause severe concussion, the department may cause all trunk lines to be covered by five (5) to six (6) inches of loose earth.

(6) In blasting operation, flying rocks shall not be allowed to fall greater than one-half (1/2) the distance between the blast and a dwelling house, public building, school, church, commercial or institutional building. Protective material should be used to insure this limit.

(7) When operating within 800 feet of a highway, if there is chance of flying rock landing on the highway, traffic must be stopped at a safe distance. Blasted material shall not be thrown on a public highway in sufficient quantity to impede traffic, and any material thrown on a highway must be removed promptly.

(8) Where a blasting operation is conducted in the vicinity of an active deep mine, the blaster shall observe all procedures necessary to secure the health and safety of the deep mine workers.

(9) Blasting operations shall be conducted during daylight hours (one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset) except by special permit issued by the Department of Mines and Minerals. Said permit to be issued on the basis of safety.

(10) If, as a result of a blast, the vibrational levels are exceeded or material is hurled through the air causing damage to homes or other property, or causing personal injury or death, or endangering public safety, health and general welfare, in violation of these regulations, the department may consider this due cause for revocation of blaster's license and evoke penalties according to KRS 351.990.

(11) The contractor or operator as well as the blaster shall be responsible for the conduct of blasting on any operation.

(12) These regulations are in no way intended to relieve the contractor or operator or other persons of responsibility and liability under any other laws.

D. T. FROEDGE, Director

ADOPTED: April 7, 1975

APPROVED: H. N. KIRKPATRICK, Commissioner

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 8, 1975 at 2:08 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Director, Division of Explosives and Blasting, Department of Mines and Minerals, P. O. Box 680, Lexington, Kentucky 40501. Telephone 606-254-0367 or 606-254-0368.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 5:020)

RELATES TO: KRS 304.5-130, 304.5-140, 304.11-010 to 304.11-050, 304.24-420

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-5.02

NECESSITY AND FUNCTION: KRS 304.5-130 defines "reinsurance;" KRS 304.5-140 prescribes the limitations placed on an insurer in its reinsurance transactions; KRS 304.11-010 to 304.11-050 are the statutes relating to unauthorized insurers; and KRS 304.24-420 prescribes the requirements for bulk reinsurance. The function of this regulation is to preclude the illegitimate use of reinsurance agreements that would, in effect, permit an authorized company to "front" for a company unauthorized to transact the business of insurance in the Commonwealth.

Section 1. The term "reinsurance" as used in the insurance code contemplates that the ceding insurer be a company authorized to do business in Kentucky, and that a ceding to an unauthorized insurer shall not be in any way for the purpose of fronting for the unauthorized reinsurer.

Section 2. No authorized insurer shall knowingly reinsure any unauthorized insurer in whole or in part as to property and casualty policies which principally contemplate performance in Kentucky, or as to such policies the principal subjects of risk of which are located in Kentucky.

Section 3. The act of an authorized insurer in ceding reinsurance to or assuming reinsurance from an unauthorized insurer in violation of Sections 1 and 2 above, particularly when written at rates and upon forms which have not been filed with and approved by this department, shall be deemed a cause for revocation of the certificate of authority of the ceding insurer.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:13 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 5:040)

RELATES TO: KRS 304.5-080

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-5.04

NECESSITY AND FUNCTION: KRS 304.5-080 defines "Marine and Transportation Insurance." The function of this regulation is to incorporate within that definition the "Nationwide Marine definition" as adopted by the National Association of Insurance Commissioners.

Section 1. The Nationwide Marine definition, as adopted by the National Association of Insurance Commissioners, which definition has been or will from time to time be published in handbook form by the National Association of Insurance Commissioners Committee on Interpretation of the Nationwide Marine definition, and is on file in the office of the Commissioner of Insurance, is hereby adopted as the definition of Marine Insurance in and for the Commonwealth of Kentucky, unless expressly rejected or modified by order of the commissioner.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:13 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 7:010)

RELATES TO: KRS 304.7-340

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-7.01

NECESSITY AND FUNCTION: KRS 304.7-340 prohibits an insurer from investing in any note or other evidence of indebtedness of any director or officer of the insurer, except as to policy loans. The function of this regulation is to preclude an insurer from indirectly investing in a note of a director or officer through a spouse or a relative by blood or marriage.

Section 1. Investment in any note or other evidence of indebtedness of the spouse or a relative by blood or marriage residing in the same household as any director or officer of a domestic insurer shall be presumed to be an investment in a note or other evidence of indebtedness of a relative by blood or marriage not residing in the same household shall raise such a presumption where it appears that the director or officer received a benefit therefrom.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:13 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 7:060)

RELATES TO: KRS 304.7-220

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-7.06

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation requires insurers making investments in housing developments to give the commissioner the information upon which it bases its judgment of the soundness of the investment.

Section 1. Any domestic insurer making an investment allowed by KRS 304.7-220 shall, at least ten (10) days prior thereto, file with the commissioner the information upon which it bases its judgment in making the said investment.

Section 2. Said insurer shall upon request furnish the commissioner any other pertinent information he might request regarding the said investment.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:14 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 7:080)

RELATES TO: KRS 304.7-020, 304.7-030, 304.7-040

PURSUANT TO: KRS 304.2-110, 13.082

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation establishes procedures for insurance companies to deal in exchange-traded call options.

Section 1. Definitions for the purpose of this regulation:

(1) "Call option" means an option contract under which the holder of the option has the right, in accordance with the terms of the option, to purchase the number of shares of the underlying stock covered by the option contract.

(2) "Exchange" means a national securities exchange registered under the Securities Exchange Act of 1934 which has been authorized to provide a market for option contracts pursuant to Rule 9b-1 under the Securities Exchange Act of 1934, as amended.

(3) "Exchange-traded" means traded on the floor of an exchange.

(4) "Escrow receipt" means an escrow receipt issued with respect to escrowed stock held on deposit by a bank or other custodian approved by a registered national securities exchange.

(5) "Escrowed stock" means stock owned by an insurance company with respect to which an escrow receipt has been issued.

(6) "Closing purchase transaction" means the purchase of an exchange-traded call option the effect of which is to reduce or eliminate the obligations of a call option writer with respect to an option contract or contracts.

Section 2. Sale of Exchange-Traded Call Options. An insurer may sell exchange-traded call options only through an exchange and only with respect to stock which it owns. Insurers may not sell any other options. Any insurer selling an option:

(1) Shall enter into an escrow agreement which provides that its escrowed stock is kept segregated by the bank or other custodian from other securities owned by the company, and from securities owned by others, which are deposited with the same bank or other custodian; and

(2) Must obtain and retain in its possession a copy of an escrow receipt identifying with particularity the escrowed stock.

Section 3. Purchase of Exchange-Traded Call Options. An insurer may purchase an exchange-traded call option only through an exchange and only for the purpose of a closing purchase transaction. Insurers may not purchase any other options.

Section 4. Accounting for Transactions in Exchange-Traded Call Options. (1) The price received for selling a call option shall not be included in income at the time of receipt, but shall be carried in a deferred account until one of the following occurs:

- (a) The call option expires through the passage of time,
- (b) The company sells the underlying stock pursuant to an exercise of the call option, or
- (c) The company engages in a closing purchase transaction in respect thereto.

(2) If a call option expires through the passage of time, the price for the option shall be treated as investment income received at the time of such expiration.

(3) If the underlying stock is sold pursuant to the exercise of a call option, the price received for the option shall be treated as increasing the amount realized upon the sale of the stock and shall be included in determining capital gain or loss.

(4) If a call option is terminated through a closing purchase transaction, the difference between the price received from the sale of the call option and the price paid in the closing purchase transaction shall be treated, at the time of such closing purchase transaction, as an addition to or deduction from investment income, as the case may be.

Section 5. Valuation. Stock owned by an insurance company with respect to which a call option has been sold shall be valued, so long as the obligation under the option continues, at the lesser of the exercise price of the option or the current market price of the stock.

Section 6. Prohibition against Speculating in Options. The authority granted to insurers herein to engage in option transactions shall be used solely in a manner consistent with the insurer's obligation to exercise prudent judgment in the conservative management of its assets. Each option transaction shall reflect such prudent judgment and shall have a rationale related to such conservative management of assets rather than speculation. Nothing herein shall be construed to authorize an insurer to engage in option transactions to an extent or to a degree which would, under the relevant circumstances, be inordinate or speculative. The insurer shall establish and maintain records as to each transaction, demonstrating compliance with this section.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:14 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 8:010)

RELATES TO: KRS 304.8-040, 304.8-120

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-8.01

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation sets forth the method of value of assets on deposit with the Commissioner of Insurance.

Section 1. Insurance companies making deposits and revaluations of the same with the Custodian of Insurance Securities shall utilize the Insurance Department Form 143.

Section 2. Assets on deposit with the Custodian of Insurance Securities which are obligations having a fixed term, rate and face value, shall be valued as follows:

(1) At face value if acquired at face value;

(2) If acquired above or below face value, they shall be valued on the basis of the purchase price adjusted annually to bring the value to face value on maturity. Such obligations when in default as to either principal or interest are not eligible for deposit, and the commissioner shall require replacement of such deposits (KRS 304.8-120).

Section 3. Preferred and common stocks shall be valued, for deposit purposes, at the then market value. Twice each year these classes of securities shall be revalued, once as of the preceding December 31 and again as of June 30. The latter revaluation shall be accompanied by a statement from a recognized securities brokerage firm to the effect that the prices so used were the fair market values at June 30.

Section 4. Mortgage loans and/or notes shall be valued at the unpaid principal balance of the note at the time of deposit. Each year, before April 1, the mortgage loans on deposit shall be revalued so as to reflect the estimated unpaid principal balances as of the succeeding December 31.

Section 5. Home office real property shall be valued for deposit purposes at the company's book value, or at the fair market value if such has been established by an appraisal acceptable to the commissioner. Any change in the company's book value or appraised value shall cause a revaluation of this deposit.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:14 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 9:005)

RELATES TO: KRS 304.9-130

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-9.10

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation requires all officers of a corporation to be licensed as individual agents unless the minutes of a board meeting prohibit them from so acting.

Section 1. In addition to licensing each individual actively acting as an agent for a corporation under the license, each officer of the corporation, except directors, authorized to act in any capacity for the corporation under the license, shall be named in or registered with the commissioner as to the license, and shall qualify as individual licensees. This provision shall not apply to those officers prohibited from acting as an insurance agent by a resolution of the corporations board of directors shown in said board's minutes.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:15 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 9:160)

RELATES TO: KRS 304.9-040, 304.9-080, 304.9-320 to 304.9-350

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-9.07

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation clarifies some provisions of the Kentucky Insurance Code relating to Insurance Consultants.

Section 1. Definitions. (1) A "member" of the Society of Actuaries or Academy of Actuaries as referred to in KRS 304.9-040 (1) (b) and (c) applies to both "members" of the Academy of Actuaries and "associates" and "fellows" of the Society of Actuaries.

(2) An Actuary employed on a "full-time basis" means one who is engaged in the conduct of the business of the corporation:

- (a) Whose customary employment by the corporation is for more than twenty (20) hours per week and more than five (5) months in any calendar year, or
- (b) Who receives at least fifty-one (51) percent of his total income from salary or other compensation from the corporation, or
- (c) Who prepares or assists in preparation and reviews all insurance proposals, recommendations, or advice given by the corporation.

Section 2. Insurance Consultant as Non-Resident Agent in Other Jurisdictions. Should the laws of any state or province fail to provide for the licensing of non-resident insurance consultants and a resident licensed insurance consultant in Kentucky desires to be qualified to be licensed in such state or province, then said insurance consultant will not be in violation of KRS 304.9-340 if he obtains a non-resident agent's license in said jurisdiction. In such circumstances, the commissioner may certify to the insurance supervisory official issuing said non-resident agent's license, that the person holding the Kentucky Insurance Consultant's license is a person who meets the qualification of an insurance agent in the Commonwealth of Kentucky, who could be licensed as such but for the prohibition contained in KRS 304.9-340, and who, for the purposes of being licensed as a non-resident agent in a state other than Kentucky, has the equivalent of a Kentucky resident agent's license.

Section 3. Sharing in Commissions. The prohibitions in KRS 304.9-350 against a licensed insurance consultant receiving any remuneration from an insurance company for a recommendation given or transaction engaged in under his license, shall not be deemed to prohibit receipt by any such licensee of commissions, fees, or retirement benefits to which he is or may be entitled to by reason of insurance or annuity contracts written prior to his becoming a licensed insurance consultant or receipt by any such licensee of any benefits, dividends, etc. to which he is or may be entitled to by reason of his being a policyholder or minority stockholder in an insurance company.

Section 4. Insurance Consultant Holding Interest in an Insurance Agency. The prohibition in KRS 304.9-340 against an insurance consultant's having a pecuniary interest in any insurance agency, shall not be deemed to prohibit any such licensee from having a pecuniary interest in any insurance agency in another jurisdiction, provided such insurance agency transacts no business in the Commonwealth of Kentucky.

Section 5. Incorporated Insurance Consultants. A firm or corporation may not be licensed as an insurance consultant; however, an insurance consultant or consultants may incorporate, as a professional service corporation, and assign earnings to such corporation.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:15 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 10:020)

RELATES TO: KRS Chapter 304, Subtitle 10

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-10.01

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation requires surplus line brokers to furnish to the

Department of Insurance, completed copies of all dailies or coverages, together with the affidavit required by KRS 304.10-050.

Section 1. Each surplus line broker shall furnish the Department of Insurance completed copies of all dailies or coverages, together with his signed affidavit as required by KRS 304.10-050.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:15 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 12:020)

RELATES TO: KRS 304.9-440, 304.12-010, 304.12-020, 304.12-040, 304.12-110, 304.12-130, 304.14-120 to 304.14-180
PURSUANT TO: KRS 304.2-110, 13.082
SUPERSEDES: I-12.01

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation further interprets and implements statutory standards to assure fair disclosure to consumers.

Section 1. Deeming it to be in the highest degree of public interest that the insurance buying public will not be deceived or misled in regard to the purchase of life insurance, it is therefore considered proper and desirable to further implement and interpret the statutory standards which generally relate to the sale of life insurance.

Section 2. Applicability: This regulation shall apply:

- (1) To any insurance company, person, broker, or consultant, as those terms are defined in the insurance code.
- (2) To acts and practices in the advertising, promotion, solicitation, negotiation of or effecting the sale of life insurance policies (this regulation shall not apply to group insurance policies or to annuity contracts).
- (3) To such acts and practices whether they involve the use of language disseminated by means of sales kits, policy jackets or covers, letters, personal presentation, visual aids or other sales media.

Section 3. Statement of Policy. (1) The purpose of this regulation, essentially, is to assure fair disclosure of relevant facts in the sale of life insurance. This regulation is also designed to protect purchasers and prospective purchasers of life insurance policies against the use of sales methods which are misleading because of:

- (a) The omission of facts fairly describing both the subject matter as a life insurance policy and the benefits obtainable thereunder.
- (b) An undue emphasis upon facts which, however true, are not relevant to the sales of life insurance.
- (c) An undue emphasis upon features which are of incidental or secondary importance to the life insurance aspects of a policy.

(2) To assure such fair disclosure and to prevent the use of misleading sales methods this regulation provides advance interpretations as to specific acts and practices which the Department of Insurance believes constitute violations of said statutes; provided, however, it is recognized that whether particular conduct comes within the prohibition of said statutory provisions depends upon the facts in each case.

(3) Although this regulation is addressed to selected acts and practices which have been of serious concern to the Department of Insurance, this delimitation is not a determination that any act of practice not specified herein is in conformance with the aforesaid statutory provisions. However, this regulation will be read as a guide in considering whether any unspecified act or practice is of the kind or character which may be within the prohibitions of said statutory provisions.

(4) In accordance with the purposes and limitations set out in Sections 1 and 2, the acts and practices set out in the following sections are declared to be unlawful when used in context or done under such circumstances or conditions as to have the capacity and tendency to mislead a purchaser or prospective purchaser to believe that he will receive, or that it is probable he will receive something other than an insurance policy, some benefit not available to other persons of the same class and equal expectation of life. Each of said sections will, therefore, be construed and applied in concordance with the provisions of this section.

Section 4. Policy Forms: From the effective date of this regulation no company shall:

- (1) Include coupons as a part of policies containing pure endowment, benefits. A pure endowment benefit is a guaranteed insurance benefit, actuarially determined, the payment of

which is contingent upon the survival of the insured to a specified point in time.

(2) Issue a policy of insurance containing pure endowment benefits unless the gross premium for these provisions is shown prominently and separately in the policy as distinct from the regular insurance gross premium. This subsection shall not apply to any policy in which the amount of any pure endowment or periodic benefit or benefits payable during any policy year is greater than the total annual premium for such year.

- (a) This separate gross premium for the series of pure endowments shall be based on reasonable assumptions and be consistent with the basic policy form as to interest, mortality, and expense.
- (b) The amount of the guaranteed series of pure endowment benefits shall be expressed in dollar amounts and shall not be presented or defined, either in the policy or any sales and advertising material, as a "percentage" of any premiums or benefits contained therein.
- (c) All policies with pure endowments sold in Kentucky after the sixtieth (60th) day following the date of this order shall bear the following statement or similar wording approved by the department set forth, rubberstamped on the face of the policy until present stocks are exhausted: The Premium Includes \$_____ for Pure Endowment Benefits.

(3) Use a dividend illustration in connection with a participating life insurance policy unless such dividend illustration is on file with the Commissioner of Insurance as a part of a rate book or as a separate filing.

(4) Use such words as "investment or investment plan," "insured investment plan," "profit-sharing," "charter plan," "founders plan," or similar language in a life insurance policy, either in context or under such circumstances or conditions as to have the capacity and tendency to mislead a purchaser or prospective purchaser to believe that he will receive or that it is probable he will receive something other than an insurance policy, some benefit not provided in the policy, or some benefit not available to other persons of the same class and equal expectation of life.

Section 5. Sales Presentation and Solicitation. From the effective date of this regulation it shall be deemed unlawful to make:

(1) Reference to a policy using similar terminology as described in Section 4(4) and more particularly:

- (a) Statements or representations that the prospective policyholder will receive the right to benefits from the insurance company which are not stipulated in the policy itself, or
- (b) Statements or references that refer to premium payments in language stating the payment is a "deposit" unless:
 1. The payment establishes a debtor-creditor relationship between the insurance company and the policyholder, or
 2. The term is used in conjunction with the word "premium" in such a manner as to clearly indicate the true character of the payment.
- (c) Statements which describe a life insurance policy or premium payments in terms of "unit of participation" unless accompanied by other language fairly indicating their reference to a life insurance policy or to premium payments, as the case may be. Statements which describe a life insurance policy or premium payments in terms of units henceforth shall be followed by the dollar amount representing the annual premium for each unit or unit described; and further wording clearly indicating that the unit or units represent a life insurance policy.
- (d) Statements which infer that the guaranteed endowments available under a policy are interest, earnings, return on investment, or anything other than benefits for which the cost is taken into consideration in calculating the total premium.

(2) Reference to any policy or contract in such a manner as to misrepresent its true nature and more particularly:

- (a) Statements which tend to lead the prospect to believe that the agent is dealing in other than a life insurance contract.
- (b) Statements which tend to lead the prospect to believe that life insurance is incidental to the purchase of the contract.
- (c) Statements or reference relating to the growth of the life insurance industry or to the tax status of life insurance companies in a context which would reasonably be understood to interest a prospect in the purchase of shares of stock in an insurance company rather than in the purchase of a life insurance policy.
- (d) Statements which reasonably give rise to the inference that the insured will enjoy a status common to a stockholder or will acquire a stock ownership interest in the insurance company by virtue of purchasing the policy.
- (e) References or statements to a company's "investment department," "insured investment department," or similar terminology in such a manner as to imply that the policy was sold, or issued, or is serviced by the investment department of the insurance company.

(3) References regarding the payment of dividends in such a

manner as to misrepresent their true nature, and more particularly:

- (a) Providing any illustration as to projected dividends unless the dividend scale is based on the experience currently used by the company for dividends, and unless the illustration is expressed in dollar amounts.
- (b) Statements which use the words "dividends," "cash dividends," "surplus," or similar phrases in such a manner as to state or imply that the payment of dividends is guaranteed or certain to occur.
- (c) Statements or references that a purchaser of a policy will share in a stated percentage or portion of the earnings of the company.
- (d) Statements which use the words "dividends," "cash dividends," "surplus," or similar terminology shall be expressed only in dollar amounts. This shall apply to projected dividends as well as past experience on dividends.
- (e) Statements or inferences that projected dividends under a participating policy will be or can be sufficient at any time to assure the receipt of benefits, such as a paid-up policy, without the further payment of premiums unless the statement is accompanied by an adequate explanation as to:
 1. What benefits or coverage would be provided at such time.
 2. The conditions under which this would occur.
- (4) Reference to any policy or contract in such a manner as to suggest that certain policyholders will receive preferential treatment, and more particularly:
 - (a) Statements or references which would reasonably tend to imply that by purchasing a policy, the purchaser or prospective purchaser will become a member of a limited group of persons who may receive in the payment of dividends, special advantages, benefits, or favored treatment. This paragraph has no relation or applicability to policies under which insured persons of one class of risk may receive dividends of a higher rate than persons of another class of risk.
 - (b) Statements of references that each policyholder is given the right to allocate a specific number of policies.
 - (c) Statements or inferences that only a limited number of persons or a limited class of persons, will be eligible to buy a particular kind of policy, unless such limitation is related to recognized underwriting practices.
 - (d) Statements or inferences that policyholders who act as "centers of influence" for an insurance company in that capacity will share in the company's surplus earnings in some manner not available to policyholders of the same class.
 - (e) Comparisons to the past experience of other life insurance companies where the comparison is based on an arbitrary selection as to either the companies or the statistics or other data which are used. This paragraph is intended to protect policyholders from being misled as to the character of a policy or its benefits, through the presentation of experience of companies with reverse experience.

Section 6. Dividends. (1) Policyholder premium or gross cost reductions on participating policies will be designated dividends. No other items shall be designated as dividends. Dividends shall not be guaranteed as to amount, percentage or premium, or other basis. The decision for declaration of a dividend shall be determined by the insurance company's board of directors, based solely on operating results or projections for those policies designated "participating" policies.

(2) When dividends are "declared" for a policy year classification (based on specific plans and/or age classifications as they relate to contribution of company ability to declare dividends), dividends will be apportioned to all policies so entitled in that policy year.

(3) The date dividends are declared shall be the date liability is established for the dividends and the reserve established for this liability will be the full amount of the dividends declared.

Section 7. Other Provisions. (1) In order to implement this regulation the department will exercise its right at its discretion to require the submission of any or all sales material.

(2) Each company will be held responsible for disseminating this regulation to its representatives and assuring compliance.

(3) The provisions of this regulation are intended to apply only to policies issued on or after its effective date for delivery in this state, and it does not apply to contracts issued prior to the effective date nor to contracts issued for delivery outside this state. The adoption of this regulation should not disturb or cast doubt about the validity of previously issued contracts described herein.

(4) No insurance company, insurance agent, consultant, nor insurance company representative shall as a competitive or "twisting" device, inform any policyholder or prospective policyholder that any insurance company was required to change a policy form or related material to comply with the provisions of this regulation.

(5) The commissioner may suspend or revoke any license or authority for violation of the provisions of this regulation

after a hearing upon written notice as required by the insurance code.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:16 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 12:030)

RELATES TO: KRS 304.12-030

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-12.03

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation establishes minimum standards of conduct to be observed in the replacement or proposed replacement of life insurance policies.

Section 1. Replacement of Life Insurance
Defined: (1) Replacement of life insurance as used in this regulation is defined as including any transaction wherein new life insurance or individual annuity contracts is to be purchased and it is known to the agent that as a part of the transaction or in conjunction with the transaction, existing life insurance or annuity contracts have been or are to be:

- (a) Lapsed or surrendered;
 - (b) Converted into paid up insurance, continued as extended term insurance or under another form of non-forfeiture benefit;
 - (c) Converted otherwise so as to effect a reduction either in the amount of the existing life insurance or in the period of time the existing life insurance will continue in force;
 - (d) Reissued with a reduction in amount such that substantial cash values are released. ("Substantial cash values" include all transactions wherein an amount in excess of fifty (50) percent of the tabular cash value is to be released on one (1) or more of the existing policies.); or
 - (e) Assigned as collateral for a loan or subjected to substantial borrowing of the loan values whether in a single loan or under a schedule of borrowing over a period of time. "Substantial borrowings" includes all transactions wherein an amount in excess of fifty (50) percent of the tabular cash value is to be borrowed on one (1) or more existing policies.
- (2) Provided, however, this definition does not include life insurance transactions wherein:
- (a) The application for the new life insurance is made to the same insurer that issued the existing life insurance and a contractual policy change or conversion privilege or a privilege of policy change granted by the insurer is being exercised;
 - (b) The new life insurance is provided under:
 1. A group life insurance policy;
 2. A policy whose cost is borne in whole or in part by the insured's employer or by an association of which the insured is a member;
 3. Policies covering employees of an employer, debtors of a creditor, or members of an association, which are distributed on a mass merchandising basis and administered by group-type methods; or
 4. Life insurance policies issued in connection with a pension, profit-sharing or other benefit plan qualifying for tax deductibility of premiums; provided, however, that as to any plan described in this paragraph, full and complete disclosure of all material facts shall be given to the administrator of any plan to be replaced;
 - (c) The existing life insurance is a non-convertible term policy with five (5) years or less to expire and which cannot be renewed.

Section 2. Duties of Agent. Each life insurance agent or individual annuity agent shall:

(1) Obtain with or as a part of each application for insurance, a statement signed by the applicant as to whether such insurance will replace existing insurance;

(2) Submit to the insurer in connection with each application for insurance a statement as to whether, to the best of his knowledge, replacement is involved in the transaction; and

(3) Where a replacement is involved:

- (a) Obtain with or as a part of each application a list of all existing life insurance policies proposed to be replaced;
- (b) Present to the applicant, not later than at the time of taking the application, a completed "comparison statement" signed by the agent and a "notice to applicants regarding replacement of life insurance" in substantially the form prescribed and obtainable

- from the department, herein filed by reference, and leave such forms with the applicant for his records;
- (c) Submit with the application to the insurer a copy of any proposal used, and completed "comparison statement" and the name of each insurer which issued any insurance being replaced;
- (d) Have the applicant acknowledge receipt of the completed "comparison statement" and the "notice to applicants regarding replacement of life insurance."

Section 3. Duties of Insurers: (1) Each insurer shall:

- (a) Inform its field representatives of the requirements of this regulation;
- (b) Require with or as a part of each application for life insurance or an individual annuity a statement signed by the applicant as to whether such insurance will replace existing insurance;
- (c) Require in connection with each application for life insurance or an individual annuity a statement signed by the agent as to whether, to the best of his knowledge, replacement is involved in the transaction;
- (d) Where a replacement is involved:
1. Require with or as a part of each application a list prepared by the agent representing, to the best of his knowledge, all the existing insurance policies proposed to be replaced;
 2. Obtain a copy of any proposal used, the completed "comparison statement," proof of the receipt by the applicant of the "notice to applicants regarding replacement of life insurance," and the name of each insurer whose insurance is being replaced;
 3. Immediately notify any insurer whose insurance is being replaced and upon request promptly furnish a copy of any proposal used and the completed "comparison statement;"
 4. Examine any proposal used and the completed "comparison statement" and ascertain that the latter meets the requirements of the regulation;
 5. Maintain copies of any proposal used, the completed "comparison statement," proof of receipt by the applicant of the "notice to applicants regarding replacement of life insurance," and the applicant's signed statement with respect to replacement in its home office for at least three (3) years or until the conclusion of the next succeeding regular examination by the Insurance Department of its state of domicile, whichever is later.

(2) Any insurer which receives notice that its existing insurance may be replaced shall maintain copies of such notification on its premises, indexed by insurer notifying it of such replacement, for three (3) years or until the conclusion of the next regular examination conducted by the Insurance Department of its state of domicile, whichever is later.

Section 4. Penalties: (1) Any insurer, agent, representative, officer or employee of such insurer failing to comply with the requirements of this regulation shall be subject to such penalties as may be appropriate under the insurance laws of Kentucky.

(2) Policyholders have the right to replace existing life insurance or an individual annuity after indicating in or as a part of application for new insurance that such is not their intention; however, patterns of such action by policyholders of the same agent shall be deemed prima facie evidence of the agent's knowledge that replacement was intended in connection with such transactions, and such patterns of action shall be deemed prima facie evidence of the agent's intent to violate this regulation.

Section 5. No life or health insurance agent shall advise a policyholder to lapse, surrender or terminate any life or annuity contract except as exempted by or in conformity with this regulation.

Section 6. Departmental prescribed forms entitled "Replacement of Life Insurance" and "Notice to Applicants Regarding Replacement of Life Insurance" are herein filed by reference. Copies may be obtained from the Department of Insurance, Capital Plaza Tower, Frankfort, Kentucky 40601. Substantially equivalent forms may be adopted with the prior approval of the commissioner.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:16 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 12:040)

RELATES TO: KRS 304.14-040

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-12.05

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the

Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation provides the respective rights and obligations of the vendor and vendee where insurance is procured on property sold in a credit transaction.

Section 1. In a finance or loan transaction wherein the vendee refuses or for any reason fails to provide reasonable insurance protection against loss from physical damage, an insurer may, at the request of the dealer, finance factor, or lender, provide such insurance protection.

Section 2. Where the dealer, finance factor, or lender requests and secures such protection, no part of the cost thereof shall be charged to the vendee unless losses payable thereunder shall be for the benefit of the vendee as well as the dealer, finance factor, or lender. In the event a loss is payable under such policy where any part of the cost of such protection is charged to the vendee, it shall be applied toward restoration of the damaged subject of the transaction or toward reduction of the balance of the debt, if any remains, arising out of the transaction.

Section 3. When insuring motor vehicle or aircraft, the title page of a policy providing single interest protection for the sole benefit of the dealer, finance factor, or lender must have clearly stamped or printed in not less than fourteen (14) point type the words: "This policy does not provide protection: 1. to the buyer of the property insured hereunder; 2. against legal liability to persons or property of third parties."

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:16 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 12:050)

RELATES TO: KRS 304.12-030

PURSUANT TO: KRS 304.2-110, 13.082

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation insures complete disclosure will be made to a member of the public where health insurance policy is replaced or is proposed to be replaced by a new health policy.

Section 1. Definitions: (1) Replacement of health insurance defined: Replacement of health insurance as used in this regulation is defined as including any transaction wherein new health insurance is to be purchased, and it is known to the agent that as a part of the transaction or in conjunction with the transaction, the existing in force health insurance is to be lapsed or not renewed. Provided, however, for the purposes of this regulation, replacement of health insurance shall not include the following:

- (a) A group, blanket or group type policy, excluding franchise policies;
- (b) An accident policy;
- (c) A single premium non-renewable policy;
- (d) A "limited" policy as defined in subsection (2) below;
- (e) A policy under which prescription expenses only, vision care expenses only, or blood service expenses only, are covered;
- (f) A conversion to another individual or family policy with the same insurer with continuous coverage which contains no pre-existing exclusions;
- (g) A conversion to an individual or family policy to replace group, blanket or group type coverage in the same insurer, and
- (h) A change to a Medicare supplement policy which covers pre-existing conditions without any limitations to replace a basic hospital expense, a basic medical expense, a basic surgical expense, or a major medical expense policy.

(2) "Limited policy" as used in this regulation, shall mean a policy that contains unusual exclusions, limitations, reductions, or conditions of such a restrictive nature that the payments of benefits under such policy are limited in frequency or in amounts, including but not limited to, a school, an aviation, or an automobile accident policy, a polio, or a specified disease policy.

Section 2. Duties of Agent: Each health insurance agent shall:

- (1) Obtain with or as a part of each application for health insurance a statement signed by the applicant as to whether such insurance will replace existing health insurance;
- (2) Submit to the insurer in connection with each applica-

tion for health insurance a statement as to whether, to the best of his knowledge, replacement is involved in the transaction;

(3) Where replacement is involved:

- (a) Obtain with or as a part of each application a list of all existing health policies proposed to be replaced;
- (b) Present to the applicant, not later than at the time of taking the application, a completed "Comparison Statement" signed by the agent, and a "Notice to Applicants Regarding Replacement of Health Insurance." (See Section 6.);
- (c) Submit with the application to the insurer a copy of any proposal used, the completed "comparison statement", and the name of each insurer which issued any insurance being replaced; and
- (d) Have the applicant acknowledge receipt of the completed "comparison statement," and the "notice to applicants Regarding Replacement of Health Insurance." (See Section 6.)

Section 3. Duties of Insurers: Each insurer shall:

(1) Inform its field representative of the requirements of this regulation;

(2) Require with or as a part of each application for health insurance a statement signed by the applicant as to whether such insurance will replace existing health insurance;

(3) Require in connection with each application for health insurance a statement signed by the agent as to whether, to the best of his knowledge, replacement is involved in the transaction;

(4) Where a replacement is involved:

- (a) Require with or as a part of each application a list prepared by the agent representing, to the best of his knowledge, all of the existing health insurance policies proposed to be replaced;
- (b) Obtain a copy of any proposal used, the completed "comparison statement," proof of the "notice to applicants regarding replacement of health insurance," (See Section 6) and the name of each insurer whose insurance is being replaced;
- (c) Immediately notify any insurer whose insurance is being replaced and upon request promptly furnish a copy of any proposal used and the completed "comparison statement," (See Section 6);
- (d) Examine any proposal used and the completed "comparison statement," (See Section 6), and ascertain that the latter meets the requirements of this regulation;
- (e) Maintain copies of any proposal used, the completed "comparison statement," proof of receipt by the application of the "Notice to Applicants Regarding Replacement of Health Insurance," (See Section 6), and the applicant's signed statement with respect to replacement in its home office for at least three (3) years or until the conclusion of the next succeeding regular examination by the Insurance Department of its state of domicile, whichever is later. Any insurer which receives notice that its existing insurance may be replaced shall maintain copies of such notification on its premises, indexed by insurer notifying it of such replacement, for three (3) years or until the conclusion of the next regular examination conducted by the Insurance Department of its state of domicile, whichever is later.

Section 4. Presumption: Policyholders have the right to replace existing health insurance after indicating in or as a part of applications for new health insurance that such is not their intention; however, patterns of such action by policyholders of the same agent shall not be deemed prima facie evidence of the agent's knowledge that replacement was intended in connection with such transactions, and such patterns of action shall be deemed prima facie evidence of the agent's intent to violate this regulation.

Section 5. No health insurance agent shall advise a policyholder to lapse, surrender or terminate any health contract except as exempted for, or in conformity with, this regulation.

Section 6. Forms entitled "Comparison Statement" and "Notice to Applicants Regarding Replacement of Health Insurance" are approved for use as specified in this regulation and filed herein by reference. Copies may be obtained from the Department of Insurance, Capital Plaza Tower, Frankfort, Kentucky 40601. Substantially equivalent forms may be used if prior approval is received from the commissioner.

ADOPTED: April 5, 1975

APPROVED:

RECEIVED BY LRC: April 10, 1975 at 11:27 a.m.

HAROLD B. MCGUFFEY, Commissioner

ELIJAH M. HOGGE, Secretary

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 13:005)

RELATES TO: KRS 304.12-030, 304.13-330

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-13.01

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation sets up the procedures whereby an insurer may file for rate revision.

Section 1. In determining whether or not rates on personal lines of insurance made pursuant to KRS Chapter 304, Subtitle 13 are either excessive, inadequate, or unfairly discriminatory, the commissioner shall apply the standards and rules set forth in Sections 2 to 13 of this regulation, unless for good cause shown, he determines that one (1) or more of such rules and standards should not apply in a particular filing.

Section 2. Any statistical plan adopted for use by any company or its statistical agent shall be capable of adequately reporting all necessary data reflecting past experience needed for ratemaking; and such plan shall, prior to its effective use, be filed with and approved by the commissioner.

Section 3. In order for a request for rate revision to receive consideration, the filer shall file or have filed with the commissioner every manual of classifications, all underwriting rules, territorial divisions, trend formulas, and every credibility table, rating plan, rating system, rating formula, and any modification of the foregoing which it uses in its ratemaking process, or to which policies issued pursuant thereto shall be subjected in determining the premium to be charged to any individual policyholder.

Section 4. Every insurer, or its rating organization on its behalf, shall review all rates subject to this regulation annually. It shall make filings to revise its manual of rates when an increase or decrease of more than five (5) percent is indicated. No filing need be made when indications fall within the above range provided that the commissioner is notified to that effect.

Section 5. Every filer shall use its Kentucky experience in making rates for use in Kentucky to the full extent such experience is credible as measured by the filer's credibility tables on file with the department.

Section 6. In the case of rates for liability insurance, consideration shall be given to the experience from at least the most recent available two (2) year period, unless a shorter period is fully credible.

Section 7. A request for rate revision shall include an exhibit which reflects complete data regarding the filer's investment income on unearned premiums and loss reserves, as well as the extent of its consideration and use in the rate-making process.

Section 8. Every filer shall divide the incurred loss contained in the filing between losses which have been paid and those which are pending payment at the end of the experience period. Such division may be developed by mathematical factors when actual statistical data cannot reasonably be obtained. Pending loss shall be developed by use of proper loss development factors to their ultimate settlement cost.

Section 9. Loss data stemming from policies written at rates in excess of those contained in the filer's manual of rates, for their class and territory, shall not be used to substantiate any request for revision of such manual rates.

Section 10. Loss data stemming from policies written at rates lower than those contained in the filer's manual of rates, for their class and territory, shall not be used to substantiate any request for revision of such manual rates, unless as a condition precedent thereto, the earned premiums for such policies have been adjusted to that which would have resulted had such policies been written at manual rates.

Section 11. All premium used in any request for rate revision shall be adjusted to current level.

Section 12. Every trend factor shall be based upon the latest available experience, and shall reflect both loss frequency and loss severity on the same basis. No trend factor shall project losses to which it is applied past the mid-point of the anticipated use period for which the rates are being made.

Section 13. No upward rate revision on personal lines of insurance shall exceed twenty-five (25) percent for any rating territory in this state within a one (1) year period, and no such downward revision shall exceed twenty-five (25) percent.

ADOPTED: April 5, 1975

APPROVED:

RECEIVED BY LRC: April 10, 1975 at 11:17 a.m.

HAROLD B. MCGUFFEY, Commissioner

ELIJAH M. HOGGE, Secretary

PUBLIC HEARING: A public hearing on this proposed regu-

lation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 13:015)

RELATES TO: KRS 304.13-060
PURSUANT TO: KRS 304.2-110, 13.082
SUPERSEDES: I-13.04

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. KRS 13.060 provides that the commissioner may suspend or waive the requirements of filing or as to classes of risks, providing he does so pursuant to an appropriate regulation. This regulation establishes the commissioner's procedure for waiving the requirement of filing or as to classes of risks.

Section 1. If the Commissioner of Insurance determines that there may be justification to suspend or modify the requirements of filing as to any kind of insurance, subdivision or combination thereof, or to any class of risk the rates to which cannot be filed before they are used, then he shall call a hearing thereon, with proper notice to all insurers authorized to write such lines of insurance in the Commonwealth of Kentucky to determine whether or not to suspend or modify the requirement of Subtitle 13.

Section 2. If, upon such a hearing, determination is made to suspend or modify such requirements, then the commissioner may, in the same order, prescribe such rules and regulations as he determines necessary to assure that the rates effected thereby are not excessive, inadequate or unfairly discriminatory.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:17 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 13:090)

RELATES TO: KRS 304.13-030
PURSUANT TO: KRS 304.2-110, 13.082
SUPERSEDES: I-13.14

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation permits additional charges to be made on insurance premiums when the premiums are made in installments.

Section 1. A property or casualty insurer, after filing with and approved by the Commissioner of Insurance, may charge a different rate for insurance when the premium therefor is payable in installments rather than in cash.

Section 2. Additional charges based on installment payments shall not exceed those permitted to be charged by premium finance companies; nor shall such financing be on terms less favorable to insureds than are permitted in financing by premium finance companies.

Section 3. Gross premiums on any policies, whether arising from cash rate premiums, installment service charges, or any other surcharges approved by the commissioner, shall be used as the basis upon which premium taxes shall be determined.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:17 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 14:005)

RELATES TO: KRS 304.4-010, 304.14-120, 304.14-190
PURSUANT TO: KRS 304.2-110, 13.082
SUPERSEDES: I-14.01

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation provides rate and form filing procedures.

Section 1. Every insurer or licensed rating or advisory organization required by law to file rates, rating plans, policy forms or endorsements, underwriting rules, statistical plans, deviations, advertising and sales materials, or other documents shall file with such documents a fully completed and signed "face sheet and verification form." In addition, property and casualty insurers must file a "synopsis form."

Section 2. The "face sheet and verification form" shall be labeled as such and be in such form as the commissioner may from time to time determine and prescribe.

Section 3. A filer may include in a filing any number of forms or documents, filed together on a particular date, pertaining to a single subject or coverage of insurance, and each filing must be accompanied by a fee of two dollars (\$2), which shall in no event be refundable. Documents required by the company admissions officer shall not be included in a filing and shall be accompanied by a fee of two dollars (\$2) for each document submitted.

Section 4. Since by the provisions of KRS 304.4-010 all fees and charges payable under the insurance code are required to be collected in advance, the period of time in which the commissioner may affirmatively approve or disapprove the filing shall not begin to run until both the filing and appropriate fee are received by the department.

Section 5. No policy or contract form shall be used in Kentucky until the appropriate rate schedule therefore has been approved.

Section 6. Whenever a filing includes a form which amends, replaces, or supplements a form which has been previously filed and not disapproved, it shall be accompanied by a letter of explanation from the filer setting forth all changes contained in the newly filed form, the effect, if any, such changes have upon the hazards purported to be assumed by the policy, and the rates applicable thereto.

Section 7. (1) Facsimile signatures of company officers, attorneys-in-fact, employees and representatives are not required and shall not be submitted with any filing.

(2) A change of signature of the executing officer on a policy form shall not, because of such change alone, require a new filing.

Section 8. Forms entitled "Face Sheet and Verification Form" and "Kentucky Filing Synopsis" are prescribed by the department and herein filed by reference. Copies may be obtained from the Department of Insurance, Capital Plaza Tower, Frankfort, Kentucky 40601.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:16 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 14:070)

RELATES TO: KRS 304.13-090, 304.14-120, 304.14-160, 304.14-170
PURSUANT TO: KRS 304.2-110, 13.082
SUPERSEDES: I-14.04

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation requires the written consent of the insured when an additional endorsement affects the classification of a private passenger auto risk.

Section 1. Any endorsement which affects the classification of private passenger automobile risks, the premium to be charged therefor, or the assumption or elimination of risks not contemplated by the insured's classification, must bear the written consent of the named insured.

Section 2. The adoption of this regulation shall not be

presumed to imply the commissioner's blanket approval of the unrestricted or indiscreet use of such endorsements, or the expression of opinion as to the legality thereof. The purpose of this regulation is to make available to motorists, in certain instances, insurance protection which otherwise might not be available.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:18 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 14:080)

RELATES TO: KRS 304.14-030

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-14.06

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation requires that policies issued for the first time must contain a notice that the premium charged includes a municipal or county fee or tax.

Section 1. Whenever by city ordinance or by county fiscal court resolution a fee or tax is imposed upon insurers for the privilege of engaging in business in said county or city, the premium charge shall make provision for such fee or tax. The amount of such fee or tax may, at the option of the insurer, be shown on the policy.

Section 2. Each policy issued to an insured for the first time shall include a notice that the premium includes a charge for the fee or tax. Such notice shall be placed upon the title sheet of the policy by use of a typewriter, stamp, sticker or any reasonable means approved by the commissioner. Such notice may, at the option of the insurer, be placed on renewal certificates and billings issued subsequent to the original policy.

Section 3. In accordance with KRS 12.285, the governmental unit which has imposed such a tax shall file a copy of such ordinance or resolution, and any amendments thereto, with the Commissioner of Insurance.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:18 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 14:090)

RELATES TO: KRS Chapter 304, Subtitle 14

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-14.07

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation prohibits the grouping of persons or risks for preferential treatment in insurance rates or forms.

Section 1. No form, plan, or policy of insurance covering any group or combination of persons or risks, other than life or health insurance, shall be written or delivered within or outside of Kentucky to cover Kentucky persons or risks at any preferred rate or form other than that offered to persons not in such group, and the public generally, unless such form, plan or policy and the rates or premiums to be charged therefor have been submitted to and approved by the Commissioner of Insurance.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:19 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

ments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 14:100)

RELATES TO: KRS 304.14-120

PURSUANT TO: KRS 304.2-110, 13.082

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation requires that memoranda or certificates of insurance, as herein defined, shall not amend, extend or alter the coverage of an existing contract.

Section 1. Each certificate or memorandum of property or casualty insurance when issued to any person other than the policyholder shall contain the following or similar statement: "This certificate or memorandum of insurance neither affirmatively nor negatively amends, extends, or alters the coverage afforded by policy number _____ issued by _____."

Section 2. Each certificate or memorandum of insurance shall be filed with the commissioner prior to its use.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:19 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 14:110)

RELATES TO: KRS 304.24-310, 304.24-320, 304.24-330, 304.24-250, 304.13-010 to 304.13-390, 304.14-120, 304.12-010, 304.12-080 to 304.12-110

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-14.11

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation permits the participation by insureds in dividend premiums under "participating" policies and requires a filing of such dividend plans with the commissioner.

Section 1. It having been demonstrated that improved safety measures and improved claims handling may result in savings in expenses and in losses over and above those levels anticipated, and it having also been demonstrated that it is possible, in certain cases, for an insurer to identify and group the policyholders contributing to such savings into specific classifications; to further encourage such savings in the net cost of insurance protection, insurers authorized to transact such insurance in this state may, after complying with the following conditions, issue policies entitled to participate from time to time in the earnings of the insurer through dividends.

Section 2. Such insurer shall file or refile with the commissioner, in substantially the same manner as a rate filing, every proposed dividend plan and every modification thereof, including discontinuance, which it proposes to use, accompanied by the information upon which the insurer supports such filing.

(1) No such filing shall propose in this state both participating and non-participating policies for the same class of risk. Any classification of its participating policies and of risks assumed thereunder which the insurer may make shall be reasonable. In determining the proposed eligibility requirements for a dividend plan, the underlying standard shall be the demonstrated or demonstrable success in savings in expenses or in losses over and above levels anticipated in previously filed rates. Any proposed dividend plan must be made available to all insureds meeting the eligibility requirements set forth in the dividend plan. To facilitate this and to broaden the availability of such programs, agents licensed by one or more companies of a group of affiliated insurers shall also be licensed by the company within such group authorized to write such insurance policies if the company for which such agent is then licensed does not write such participating policies. Notice and details of the availability of the program in Kentucky shall be given to all of the group's licensed agents.

(2) If such filing is an initial filing or if the facts or the laws have changed since a prior filing has been used, the filing shall contain either satisfactory evidence of proper specific charter (as defined in KRS 304.3-050), authority to issue participating policies, or satisfactory evidence that unless otherwise provided by its charter, the laws of its

domicile provide that it may issue policies entitled to participate in the earnings of the insurer through dividends.

(3) Such filing shall also contain proposed policy provisions or proposed policy endorsement forms for the payment of dividends which shall further provide that all such dividends must be paid by the insurer directly to the insured, and that no such dividends may be assigned to associations or others, except upon assignment of the policy for value. If the provision for the payment of dividends is made by separate endorsement rather than incorporated in the policy form, such endorsement must be attached to each and every such policy issued.

Section 3. Dividends to such participating policies shall be paid only out of that part of such surplus funds which is derived from any realized net profits from the insurer's business. No such insurer or its agents shall guarantee or promise to a policyholder or prospective policyholder the amount of percentage of dividends to be paid; and no dividend, otherwise earned, shall be made contingent upon payment of renewal premium on any policy, or membership in, or affiliation with, any association. All brochures and advertising material shall affirmatively and clearly set forth that dividends are not guaranteed and that all policyholders are eligible for the dividend program whether or not they are members of, or affiliated with, any association.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:20 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 17:010)

RELATES TO: KRS Chapter 304, Subtitle 17, KRS 304.12-190
PURSUANT TO: KRS 304.2-110, 13.082

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. To ensure that there is no irregularity in dealing with insurance premiums by providing for the refund of the unearned premium of an individual health policy when no further liability can be incurred thereunder.

Section 1. Upon a showing of the demise of the insured, the pro rata share of any unearned premium on an individual health policy shall be paid by the insurer to the named beneficiary, if any, or otherwise to the estate of the deceased.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:20 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 17:020)

RELATES TO: KRS 304.14-120

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-17.01

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation requires that the applicant for health insurance disclose any and all health insurance currently in force in the name of the applicant.

Section 1. Every application form used by an insurer to solicit health insurance which is to be individually underwritten, except group or accident insurance only, shall include space requiring a listing by the applicant of all health insurance currently in force in the name of the proposed insured. Such current insurance need only be identified by the name of the insurer and the amount of insurance, if known.

Section 2. Every such application solicited personally by an agent shall have the applicant's signature witnessed by the soliciting agent, who shall at the same time certify that each question thereon was propounded by him personally to the applicant and that the applicant's answers thereto have been

accurately recorded thereon.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:21 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 17:030)

RELATES TO: KRS 304.17-030

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-17.02

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation provides certain inclusions in health insurance contracts where surgical care and indemnification is provided.

Section 1. A health policy, or rider attached, or to be attached thereto, providing indemnification for surgical care through the means of an operation or surgical schedule will not be approved for use in Kentucky unless it complies with the following:

(1) Where the indemnity is limited to the listed operation(s), the policy or rider shall indicate in unequivocal language that indemnity will be paid only for listed operations; and

(2) If the company is to determine the amount to be paid for any unlisted operation, the policy must provide that the amount will be determined:

- (a) On a basis of comparative severity or original difficulty with operations listed in the schedule of operations;
- (b) On the basis of usual and customary charges in the community by accredited physicians for comparable services; or
- (c) On some other basis as may be approved by the commissioner.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:21 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 19:010)

RELATES TO: KRS 304.19-040, 304.19-080, 304.19-090

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-19.01

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation delineates conditions that must be met in the issuance of life insurance in connection with a credit transaction.

Section 1. (1) The premiums charged for life insurance issued in connection with credit transactions shall conform to the loan schedule in the installment contract. Level term life insurance will be permitted on level loans, as well as coverage which provides for term insurance on consecutive reducing levels designed to reflect periodic (annual or semi-annual) reductions of the loan balance, and decreasing term or group indebtedness coverage for loans providing for regular uniform monthly reduction corresponding to the loan balance.

(2) The debtor shall acknowledge receipt of a statement that indicates the maximum percentage of the loan payable at death under the insurance policy if the policy does not cover the full amount of the loan.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:21 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

ments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 19:040)

RELATES TO: KRS 304.19-060, 304.19-070
PURSUANT TO: KRS 304.2-110, 13.082
SUPERSEDES: I-19.04

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation provides the debtor a choice, when a debt extinguished which is covered by any type of credit insurance, to retain the insurance coverage or to receive a pro rata return of the premium.

Section 1. In the event of extinguishment of a debt by prepayment wherein the credit transaction is secured by any type of credit insurance, and the debt is not renewed or refinanced, termination of such insurance is not required, and may, at the option of the debtor, continue for the benefit of the secondary beneficiary. The agent shall, within ten (10) days of the extinguishment of the debt, notify the debtor of the debtor's option to continue the insurance or receive a pro rata return of the premiums.

Section 2. In the event the debtor elects to continue such insurance in force, the agent shall give written notice to the insurer within ten (10) days of the date the debtor makes his election, that the debt is extinguished and that the insurance is to remain in force for the benefit of the secondary beneficiary.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975
APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:22 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 19:050)

RELATES TO: KRS 304.19-080, 304.19-120
PURSUANT TO: KRS 304.2-110, 13.082
SUPERSEDES: I-19.05

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation prohibits the writing of both health and dismemberment insurance in connection with a credit transaction unless the debtor has a choice upon extinguishment of the debt, to receive a refund for premiums paid for the unused insurance or to continue the coverage under the unused insurance.

Section 1. No insurer shall write or issue any policy in connection with a credit transaction subject to the provisions of the insurance code, which, alone or in conjunction with other policies, expressly written as security for a loan, provides for both health insurance and dismemberment insurance; unless the insurer shall afford to the debtor a choice, when the debt is extinguished prior to maturity at the end of the claim, to receive a refund of premiums paid for the unused insurance, or to continue the coverage afforded by such unused policy or policies.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975
APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:23 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 19:060)

RELATES TO: KRS 304.19-020, 304.19-080
PURSUANT TO: KRS 304.2-110, 13.082
SUPERSEDES: I-19.06

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and

regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation prohibits the insuring of joint lives except in the case of the debtor's spouse who is a co-signer to the credit or finance transaction.

Section 1. No agent or insurer shall deliver or issue for delivery in this state any policy of credit life or health insurance or any certificate in the case of such a policy of group insurance, which insures the life or health of more than one (1) individual, except in the case of the debtor's spouse who is co-signer to the credit or finance transaction.

Section 2. When a husband and wife are insured under the exception provided in Section 1, above, the premium rate charged shall not exceed 150 percent of the rate permissible under KRS 304.19-080.

Section 3. Not more than one (1) individual life insurance policy and one (1) health insurance policy may be issued as security for a single indebtedness.

Section 4. This regulation shall not be construed to allow the insuring of joint lives by credit life or credit health insurance in credit transactions involving a small loan or industrial loan in violation of KRS 288.560(2) or 291.480(1)(b).

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975
APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:24 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 24:010)

RELATES TO: KRS 304.3-150, 304.26-090
PURSUANT TO: KRS 304.2-110, 13.082
SUPERSEDES: I-24.01

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation requires submission of certain materials during the incorporation of a domestic insurer. Additionally, this regulation sets forth procedures to be followed by a domestic insurer when it makes a subsequent issue of equity securities.

Section 1. Incorporation and Promotion of New Insurance Companies. In addition to the requirements and conditions expressly prescribed in KRS Chapter 304 relative to the organization and promotion of new insurance companies, the commissioner will require that the incorporators of the new company submit to him, in duplicate, authenticated copies of the following items, to the extent that they are involved or used in the corporation or promotion procedures, namely:

(1) Any and all contracts, letters, memoranda, plans, resolutions, or other documents pertaining in any way to the organization or promotion of the subject company or to the rights and duties of the organizers inter se or in relation to the company, or pertaining to the gain or profits the organizers contemplate receiving from the corporate venture.

(2) An affidavit in the form prescribed by and obtainable from the Department of Insurance, herein filed by reference, is to be submitted by each organizer, promoter, incorporator, director, trustee, officer, proposed management personnel or other person similarly situated, of a company being formed. The affidavit shall be typewritten.

(3) Copies of equity security subscription agreements, equity security certificates to be used, par value of same, sale price to general public, sale price to organizers, promoters, incorporators and proposed officers or managers, the number of shares to be offered in the first issue, prospectus, and any other promotional literature or exhibits for use in selling equity securities.

(4) An estimate of the maximum expense of issuing and selling equity securities of the first issue and in accomplishing all other organization procedures.

(5) Monies received from organizers, prospective policyholders, and prospective subscribers, not subject to impounding by requirements of the Department of Banking and Securities shall be impounded and held in escrow upon such terms and conditions as the commissioner may prescribe.

(6) An agreement executed by all the incorporators obligating the incorporators to submit promptly to the Department of Insurance any items of information specifically or generally described in the foregoing enumeration which come into existence during the period of organization.

(7) A questionnaire and check list, on a form prescribed by the commissioner, showing compliance with this section and the sections of the Kentucky Revised Statutes to which this regulation relates.

(8) After the requirements of subsection (1) have been com-

plied with to the satisfaction of the commissioner, he will examine such persons referred to in this section concerning the data and documents above referred to and other pertinent and necessary matters; and on the basis of the items enumerated above, together with other information available to him from his examination, he will, prior to approving the Articles of Incorporation for filing with the Secretary of State and completion of the company's incorporation, advise the incorporators whether or not such filed material can meet the requirements necessary for a certificate of authority.

Section 2. Second or Subsequent Issues of Equity Securities by an Insurance Company Heretofore or Hereafter Organized.

(1) A second or subsequent issue of equity securities by a stock insurance company heretofore or hereafter organized (equity securities issued as a dividend excepted) shall be cleared with the commissioner through the identical process described above in relation to a company in the process of incorporation, except that the commissioner will not require the submission of information already in his files.

(2) With respect to a second or subsequent issue of equity securities by a company which has been in existence for a period less than six (6) years, the information and agreements described in paragraphs (a) and (b) below shall be submitted to the commissioner in addition to the data required in subsection (1) above, namely:

(a) A statement showing in parallel columns the names and addresses of the directors, officers, and the ten (10) largest security holders of the company, of any related or subsidiary company, and the number of shares of the company or companies, respectively, owned by each of such persons.

(b) An agreement on the part of each director, officer or security holder owning, in the case of the latter, ten (10) percent or more of the respective equity securities described above, to the effect that such director, officer, or security holder will not, during the period the equity securities are being offered and for the period of six (6) months following the termination of the offering period, sell or offer for sale any equity securities he may own or which he controls in such company or companies at a price higher than the price at which same was acquired by him or by any other person for his use and benefit. In applying this paragraph to any director, officer, or security holder, he shall be regarded as owning equity securities in which he has a beneficial interest or which, regardless of discernible beneficial interest, are registered in the name of his wife, child, father, or mother, or any or all of same.

(3) The commissioner's approval of a second or subsequent issue of equity securities will not be granted if it appears from all the facts and circumstances presented to the commissioner that the motivation of such issue is the personal advantage of directors, officer, or security holders as distinguished from a need of the company for additional capital.

Section 3. Collaboration with Commissioner of Department of Banking and Securities. The commissioner, in administering the regulations propounded above, will be mindful of the requirements and administrative procedures under the Kentucky Securities Law; and he may consult with the Commissioner of Banking and Securities relative to decisions which both officers are respectively required to make pursuant to law or this regulation.

Section 4. Rules and Principles: The Commissioner of Insurance, in considering questions relating to the organization of a new stock insurance company, or relating to the enlargement of the capital of an established stock company, will be guided by the following concepts, rules and principles, among others:

(1) The organization and promotion of new insurance companies on a sound basis is to be commended and encouraged.

(2) The business of insurance, because of its direct and vital effect upon security holders, policyholders, and the economy generally, is vital to the public interest and welfare.

(3) The organization and capitalization of insurance companies should be carefully scrutinized in keeping with the concepts, rules, and principles herein enunciated.

(4) Organization and promotion expenses, inclusive of commissions paid for the sale of equity securities, legal expenses, and statutory organization fees and charges, should not under any circumstances exceed fifteen (15) percent of the sale price of equity securities actually sold.

(5) In the event a new equity securities issue is approved by the department within a period of five (5) years immediately subsequent to the date of the company's original license to do an insurance business, the sale price for the new issue shall be subject to the commissioner's approval and may not exceed 200 percent of the lowest price at which any shares were previously issued, except that a higher price may be fixed for a new issue, if in the opinion of the commissioner the condition of the company justifies it, taking into consideration the company's financial condition, business in force, and facts relating to the equity security's history, such as splits, dividends, changes in par value, and the like.

(6) The sale price of equity securities shall be paid in cash or approved assets.

(7) With respect to stock companies hereafter organized, any arrangement, devise, plan or scheme, however contrived or

formulated, having as its end or purpose a diversion, either directly or indirectly of the company's funds, other than in payment of legitimate dividends or costs of doing business to any officer(s), director(s), organizer(s), promoter(s) or equity holder(s) of ten (10) percent or more of the company, or to any association, corporation, partnership, or trust owned or controlled by any officer(s), director(s), organizer(s), promoter(s), or equity security holder(s) of ten (10) percent or more of the company, is in violation of this regulation and the insurance laws of this state.

(8) No domestic stock insurer will be granted a certificate of authority if the funds used for its formation have come, in any part, from an organization in which there was a difference in the net price per share paid by the organizers as compared to other equity security holders during the first two (2) years of its business operation.

Section 5. This regulation, representing as it does implementation of the workings of the insurance law in a specific area, shall not be regarded either as a contraction or enlargement of insurance law, but rather, as an administrative application or interpretation of such law.

Section 6. This regulation does not apply to changes in corporate structure, amendments to articles of incorporation, mergers, consolidations, or other corporate changes which do not involve the public offering of equity securities.

EDWARD L. FOSSETT, Chief Deputy Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:24 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 24:020)

RELATES TO: KRS 304.24-410

PURSUANT TO: KRS 304.2-110, 13.082

SUPERSEDES: I-24.03

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance may make reasonable rules and regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code. This regulation forbids the change of control through capital stock acquisition of a domestic insurer, except by merger, consolidation, or affiliation as covered by the insurance code.

Section 1. The acquisition by or for the benefit of any person of fifteen (15) percent or more of the outstanding voting capital stock of a domestic insurer shall be presumed to be for the purpose, but not necessarily to the exclusion of other purposes, of changing the control of such insurer, and shall subject such person to the requirement of first making written application to the commissioner for approval thereof.

Section 2. Whenever there has been an acquisition of stock, by or for the benefit of any person of less than fifteen (15) percent of the outstanding voting capital stock of a domestic insurer, and current circumstances indicate to the commissioner that there is a genuine question of whether the stock acquired was controlling stock, then the commissioner may enter an order forbidding any further steps to implement the taking of control until such question is determined. If, after a hearing, the commissioner determines that the acquisition does constitute control or potential control, he may then proceed under KRS 304.24-410.

Section 3. The presumption referred to in Section 1 above and the required prior approval pursuant thereto, shall not apply in the case of merger or consolidation or affiliation as provided for by the insurance code.

Section 4. The application contemplated by Section 1 above shall be filed personally with the commissioner, and if requested by the applicant, shall be considered confidential and not open to public inspection, and shall not, except in the event of acute emergency or attack as defined in KRS 304.25-020, or where otherwise it is a physical impossibility for at least thirty (30) days, be filed with or received by any deputy, clerk, or employee of the Department of Insurance. Provided, however, the commissioner may, in his discretion, determine that it is in the public interest to have a public hearing on the application, and upon such determination he may disclose the application and follow the necessary procedures of notice for a public hearing.

HAROLD B. MCGUFFEY, Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:24 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Ken-

tucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 30:010)

RELATES TO: KRS 304.30-030
PURSUANT TO: KRS 304.30-070, 13.082
SUPERSEDES: I-30.01

NECESSITY AND FUNCTION: KRS 304.30-070 authorizes the commissioner to make reasonable regulations to effectuate subtitle 30 of the Kentucky Insurance Code and to regulate the manner in which licensed Insurance Premium Finance Companies conduct their business. This regulation sets forth application for license procedures.

Section 1. Application for Original License. Each application for an original license as an insurance premium finance company shall be made on the form entitled "Application for License and an Insurance Premium Finance Company." (See Section 7.) It shall be accompanied by all required documents and the required annual license fee of fifty dollars (\$50) which shall not be prorated.

Section 2. Application for Renewal of License. Each application for a renewal of a license as an insurance premium finance company shall be made prior to May 1 of each year on the form entitled "Application for Renewal of Licenses as an Insurance Premium Finance Company." (See Section 7.) It shall be accompanied by all required documents and the required annual renewal license fee of fifty dollars (\$50), which shall not be prorated. If an application for a renewal of a license is filed with the commissioner before May 1 of any year, the license sought to be renewed shall be continued in full force and effect either until the issuance by the commissioner of the renewal license applied for or the commissioner refuses to issue such renewal license.

Section 3. Biographical Questionnaire. Each application for an original license as an insurance premium finance company shall be accompanied by the form entitled "Biographical Questionnaire." (See Section 7.) A separate form shall be completed and executed:

- (1) In the case of a sole proprietor, by the sole proprietor, and each supervising employee;
 - (2) In the case of a partnership or limited partnership, by each partner or limited partner, and each supervising employee;
 - (3) In the case of a firm, by each member or holder of record or beneficial interest therein, and each supervising employee; and
 - (4) In the case of a corporation, by each officer, director, or owner of more than ten (10) percent, directly or indirectly, of the outstanding shares of stock, and each supervisory employee.
- (5) Biographical questionnaires need not be filed with an application for renewal of a license unless changes have taken place in the business organization involving individuals who have not previously filed such questionnaire.

Section 4. Consent to Jurisdiction and Service of Process. Each applicant for a license and each person required to file the biographical questionnaire shall appoint the commissioner as its attorney to receive service of all legal process issued against it in this state upon causes of action arising within this state. Nothing contained herein shall preclude service of any other authorized method. Service upon the commissioner shall be made in the same manner as is provided for service of process upon authorized foreign or alien insurers.

Section 5. Changes in Composition of Licensee. In the event of the addition to or withdrawal from the licensee of any of the persons required to file biographical questionnaires hereunder, the licensee shall, within ten (10) days after the event, advise the commissioner of the facts in detail by letter if an addition is involved. The letter shall be accompanied by a duly completed and executed biographical questionnaire in the form noted in Section 7. Each such licensee shall supply such additional information in regard thereto as the commissioner may request. If the commissioner is satisfied that the interest of the insureds and insurers will be adequately protected, he may thereafter, depending upon the circumstances, issue a temporary license or permit the licensee to continue under the license.

Section 6. Changes in Condition of Licensee. If any licensee or any person who is a partner, member, supervisory employee, officer, director, or ten (10) percent stockholder of a licensee shall be:

- (1) Arrested or indicted for or convicted of any crime or offense other than a misdemeanor resulting from the operation of a motor vehicle; or
- (2) Refused a license or suffers a revocation or suspension of a license of any type, other than a motor vehicle license, in this or any other jurisdiction; or
- (3) Be declared a bankrupt or otherwise seek the protection of the National Bankruptcy Act or make an assignment for the benefit of creditors, the commissioner shall, within ten (10) days after the event, be advised of the facts in detail by letter.

Section 7. Forms entitled "Application for License as an Insurance Premium Finance Company," "Application for Renewal of Licenses as an Insurance Premium Finance Company," and "Biographical Questionnaire" are prescribed by the department and herein filed by reference. Copies may be obtained from the Department of Insurance, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDWARD L. FOSSETT, Chief Deputy Commissioner
ADOPTED: April 5, 1975
APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:25 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 30:020)

RELATES TO: KRS 304.30-050
PURSUANT TO: KRS 304.30-070, 13.082

NECESSITY AND FUNCTION: KRS 304.30-070 authorizes the commissioner to make reasonable regulations to effectuate the provisions of Subtitle 30 of the Kentucky Insurance Code and to regulate the manner in which licensed insurance premium finance companies conduct their business. This regulation sets forth an untrustworthy act to be considered as sufficient to revoke or to suspend a license.

Section 1. Abuse of Minimum Service Charge Prohibited. No insurance agent or broker or premium finance agency shall induce an insured to become obligated under more than one (1) premium finance agreement for the purpose of obtaining more than one (1) minimum service charge of ten dollars (\$10).

EDWARD L. FOSSETT, Chief Deputy Commissioner
ADOPTED: April 5, 1975
APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:32 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 30:030)

RELATES TO: KRS 304.30-020
PURSUANT TO: KRS 304.30-070, 13.082

NECESSITY AND FUNCTION: KRS 304.30-070 authorizes the commissioner to make reasonable regulations to effectuate Subtitle 30 of the Kentucky Insurance Code. This regulation limits the representations of a licensee issued by the commissioner.

Section 1. No licensee shall represent, either orally or in writing, directly or indirectly, by any means whatsoever, including but not limited to the use of any office sign (except its duly issued license) or the use and circulation of any letterheads, billheads, blank forms, notes, receipts, certificates, circulars, or any written or printed or partly written or printed matter whatever, that it is licensed by or subject to the supervision of the Commissioner of Insurance, except by use of the following phrase: "Licensed, pursuant to Chapter 304 of the Kentucky Revised Statutes, only for the purpose of engaging in the business of a premium finance agency." Provided, however, the use or use and circulation of any written or printed matter containing the foregoing phrase may only be in connection with the licensee's business as a premium finance agency.

EDWARD L. FOSSETT, Chief Deputy Commissioner
ADOPTED: April 5, 1975
APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:28 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 30:040)

RELATES TO: KRS 304.30-050
PURSUANT TO: KRS 304.30-070, 13.082

NECESSITY AND FUNCTION: KRS 304.30-070 authorizes the

commissioner to make reasonable regulations to effectuate the provisions of Subtitle 30 of the Kentucky Insurance Code and to regulate the manner in which licensed insurance premium finance companies conduct their business. This regulation requires a premium finance company to give a statement of account and receipt.

Section 1. Statement of Account; Receipts. (1) At any time after its execution, but not later than one (1) year after the last payment thereunder, a licensee holding a premium finance agreement shall, upon written request of the insured, give or mail to him a written statement of the dates and amounts of payments and the total amount, if any, unpaid thereunder. Such a statement shall be supplied once each year without charge; if any additional statement is requested, the premium finance agency shall supply such statement at a charge not exceeding one dollar (\$1) for each additional statement so supplied.

(2) After the payment of all sums for which an insured is obligated under a premium finance agreement, and upon his written demand, the premium finance company holding the agreement shall deliver or mail to the insured at his last known address such one or more good and sufficient instruments as may be necessary to acknowledge payment in full and to release all interests in or rights to the insurance contracts the premiums for which are advanced or are to be advanced under the agreement.

(3) The insured shall be given a receipt for a payment when made in cash.

EDWARD L. FOSSETT, Chief Deputy Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:29 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 30:050)

RELATES TO: KRS 304.30-050

PURSUANT TO: KRS 304.30-070, 13.082

NECESSITY AND FUNCTION: KRS 304.30-070 authorizes the commissioner to make reasonable regulations to effectuate the provisions of Subtitle 30 of the Kentucky Insurance Code and to regulate the manner in which licensed insurance premium finance companies conduct their business. This regulation sets forth the requirements for a premium finance company if the debtor prepays the debt, or if the insurance contract is cancelled, or if the financing agreement is modified.

Section 1. Prepayment, Voluntary or Through Cancellation. In the event of the prepayment before maturity or the cancellation of the insurance contracts listed in the agreement upon default by the insured, the insured shall receive for such prepayment (voluntary or involuntary) a refund thereon. The amount of such refund shall represent at least as great a proportion of the service charge as the sum of the periodic balances after the month in which prepayment is made bears to the sum of all periodic balances under the schedule of installments in the agreement. Before making any such refund, the holder licensee need not refund and may retain a minimum charge of ten dollars (\$10) per premium finance contract and an additional sum of one dollar (\$1) to a maximum of five (5) percent of the final installment in default for a period of five (5) days or more before cancellation. When the amount of the refund due the insured is less than one dollar (\$1), no refund need be made. Refunds hereunder shall be made forthwith without the necessity of demand by the insured.

Section 2. Refinancing. A premium finance company may, upon agreement with the insured, extend the scheduled due date or defer the scheduled payment of all or of any part of any installment or installments payable thereunder. The agreement for such extension of deferment must be in writing and signed by the parties thereto. The premium finance company may charge and contract for the payment of an extension of deferral charge by the insured and collect and receive the same, but such charge may not exceed an amount equal to eight dollars (\$8) per year on the amount of the installment or installments, or part thereof, extended or deferred for the period of extension or deferral. Such period shall not exceed the period from the date when such extended or deferred installment or installments, or part thereof, would have been payable in the absence of such extension or deferral, to the date when such installment or installments or part thereof, are made payable under the agreement of extension or deferral; except that a minimum charge of one dollar (\$1) for the period of extension or deferral may be made in any case where the extension or deferral charge, when computed at such rate, amounts to less than one dollar (\$1).

EDWARD L. FOSSETT, Chief Deputy Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:29 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 30:060)

RELATES TO: KRS 304.30-080, 304.30-120

PURSUANT TO: KRS 304.30-070, 13.082

NECESSITY AND FUNCTION: KRS 304.30-070 authorizes the commissioner to make such reasonable regulations to effectuate Subtitle 30 of the Kentucky Insurance Code and to regulate the manner in which licensed insurance premium finance companies conduct their business. This regulation requires the regulated companies to file forms with the commissioner for his approval as conforming to the code.

Section 1. Approval of Forms. (1) No rate chart, premium finance agreement, advance notice of cancellation, final notice of cancellation, or other form, shall be issued, delivered, or used unless it has been filed in duplicate, and approved by the commissioner. Every such form shall bear thereon a date of issuance and an identifying symbol consisting of numbers or letters or a combination thereof.

(2) No premium finance agreement shall contain any provision by which:

- (a) In the absence of default of the insured, the premium finance company holding the agreement may, arbitrarily and without reasonable cause, accelerate the maturity of any part or all of the amount owing thereunder.
- (b) A power of attorney is given to confess judgment in this state.
- (c) The insured relieves the insurance agent or broker or the premium finance company holding the agreement from liability for any legal rights or remedies which the insured may otherwise have against him.
- (d) Prepayment is prohibited.
- (e) Attorney's fees are recoverable from the insured.

(3) Service charges shall be inclusive of all charts incident to the premium finance agreement and for the extension of credit provided for therein.

(4) All forms shall comply with applicable "truth in lending" laws.

EDWARD L. FOSSETT, Chief Deputy Commissioner

ADOPTED: April 5, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:31 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 30:070)

RELATES TO: KRS 304.30-060

PURSUANT TO: KRS 304.30-070, 13.082

NECESSITY AND FUNCTION: KRS 304.30-070 authorizes the commissioner to make reasonable regulations to effectuate Subtitle 30 of the Kentucky Insurance Code and to regulate the manner in which licensed insurance premium finance companies conduct their business. This regulation sets forth the records and recorded information subject to inspection by the commissioner.

Section 1. Books and Records. (1) Until payment in full, every licensee shall file each premium finance agreement or duplicate originals thereof, and all original documents relating thereto (except those papers returned to the insured) so as to be readily available for inspection at any time. All such papers and instruments shall bear a common identifying number.

(2) Every licensee shall maintain a register, ledger, or combination of records containing a summary of premium finance agreements acquired, other than pursuant to a pledge, which can readily show:

- (a) The date of acquisition;
- (b) The name of the insured;
- (c) The identifying number;
- (d) The principal balance;
- (e) The amount of service charge;
- (f) The balance payable by the insured;
- (g) A distribution of proceeds showing the dates, amounts, purposes, and names of the person to whom any part of the proceeds is distributed;
- (h) The application of any part of the proceeds to an unpaid balance due on an existing premium finance

agreement which is terminated by refinance agreement.

(3) Every licensee shall maintain a record which will readily disclose at any time the aggregate number and outstanding time balances of all premium finance agreements held by it, other than pursuant to a pledge.

(4) Every licensee shall maintain an individual ledger card or appropriate combination of records with respect to each premium finance agreement showing:

- (a) The name and address of the insured;
- (b) The identifying account number;
- (c) The name of the agent or broker;
- (d) The amount of the principal balance;
- (e) The date of acquisition;
- (f) The name or names of the insurers and the policy number of the related insurance contracts;
- (g) The date from which the service charge is payable and whether such date is the effective date of the insurance coverage or some other later date;
- (h) The service charge;
- (i) The balance payable by the insured;
- (j) Schedule of required payments.

(5) The ledger card shall also show all receipts setting forth their application to outstanding balances, delinquency, and other charges, if any, with the type of such charge clearly specified.

(6) With respect to cancellation of insurance the licensee shall record the effective date of such cancellation, the date of notice to the insured and the date of notice to the insurer. There shall also be recorded the amount of return premium received, if any, and the disposition thereof.

(7) In connection with the prepayment of a premium finance agreement the ledger card shall show the amount of service charge refund required to be made and the date such refund is made.

(8) With respect to any premium finance agreement, whether charged off or not, upon which legal proceedings have been taken, every licensee shall clearly indicate in permanent form on the insured's ledger card or on a separate sheet or card or file bearing the identifying account number, the following:

- (a) The date of referral to an outside counsel for collection;
- (b) The date and terms of any settlement agreed upon or the results of any legal or summary action taken for or against the licensee;
- (c) The nature or any collection expense incurred by the licensee in connection with litigation and charged to or paid by the insured or other obligor.

(9) Records bearing any notation made in conformity with this subsection (8) shall be kept in a binder or file separate from other records; provided, however, that the record as to a premium finance agreement which has been paid in full, or which is current as to payments, or concerning which a decision has been officially made to abandon collection efforts of every kind, may be placed elsewhere. If the licensee engages in any other business, the records relating to the insurance premium finance business shall be kept separate from the records of any other business.

Section 2. Annual Report. Prior to May 1 of each year, each licensee shall furnish to the Commissioner a completed form, entitled "Annual Report of Insurance Premium Finance Company," filed herein by reference. Copies may be obtained from the Department of Insurance, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDWARD L. FOSSETT, Chief Deputy Commissioner
ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:29 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 34:005)

RELATES TO: KRS 304.34-030, 304.34-080

PURSUANT TO: KRS 304.34-020, 13.082

NECESSITY AND FUNCTION: KRS 304.34-020 authorizes the commissioner to regulate the bail bond business in the Commonwealth. This regulation sets forth the definitions that will be used by the department.

Section 1. Definitions: (1) "Collateral security" shall mean anything of value taken as security for a bond except any personal health appliance including, but not limited to, dentures, eyeglasses, contact lenses, artificial limbs, crutches, walkers, trusses, or hearing aids.

(2) "Unsatisfied judgment" shall mean a final judgment by a court which is not pending appeal or subject to appeal.

(3) "Agent" shall mean any individual employee, licensed as a bail bondsman, who is appointed by his employer (principal) bail bondsman by power of attorney to execute or sign bail bonds in connection with judicial proceedings and receive money, or other things of value, or consideration therefor for the account of the employer (principal).

(4) "Representative" shall mean a person appointed by a bail bondsman, other than secretarial or clerical employees, for the purpose of assisting the bail bondsman in any manner so instructed, but who shall not have, by power of attorney, the right to execute or sign bonds in connection with legal proceedings.

EDWARD L. FOSSETT, Chief Deputy Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:28 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 34:050)

RELATES TO: KRS 304.34-020

PURSUANT TO: KRS 304.34-020, 13.082

SUPERSEDES: I-34.03

NECESSITY AND FUNCTION: KRS 304.34-020 authorizes the commissioner to regulate the bail bondsmen and the bail bond business in Kentucky. This regulation sets forth the prerequisites to taking an examination to be a licensed bail bondsman.

Section 1. To obtain a license as a bail bondsman, every natural person and each person who shall act for a corporation under any license applied for, shall complete departmental application Form 215, which shall be furnished by the Insurance Department. In addition to Form 215, the chief executive officer of any such corporation shall complete departmental application Form 205.

Section 2. The Commissioner of Insurance shall cause an investigation to be made into the applicant's competence and trustworthiness for such license. The commissioner's inquiry into the competence of the applicant shall include a written examination which shall be given at such time and place as designated by the commissioner and on which the applicant must receive a score of at least seventy (70) percent in order to satisfactorily pass said examination.

Section 3. Applicants to take the examination required by Section 2 hereof shall be permitted to take or re-take an examination a combined total of three (3) times under and within four (4) months of the submission of an application. After a waiting period of one (1) month, a new application may be submitted.

Section 4. No person shall be permitted to take the examination for a bail bond license until, as a condition precedent thereto, he shall have appeared in person at the Department of Insurance and submitted to fingerprinting and photographing.

EDWARD L. FOSSETT, Chief Deputy Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:25 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 34:055)

RELATES TO: KRS 304.34-020(2)

PURSUANT TO: KRS 304.34-020(1), 13.082

NECESSITY AND FUNCTION: KRS 304.34-020 authorizes the commissioner to regulate the bail bondsmen and the bail bond business in Kentucky. This regulation requires that an applicant for a bail bondsman's license and each bondsman's representative be a resident or real-estate owner in Kentucky.

Section 1. Each bail bondsman, except a corporate bail bondsman which was licensed in Kentucky prior to the effective date of this regulation, and each agent or representative of such bail bondsman, shall be a resident of the Commonwealth of Kentucky or an owner of real estate in the Commonwealth of Kentucky.

EDWARD L. FOSSETT, Chief Deputy Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:27 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975

That he/she is a duly licensed bail bondsman pursuant to Chapter 304, Subtitle 34 of the Kentucky Revised Statutes for the current year.

That _____ of _____
(principal) (address)
_____ has given the sum of _____
_____ (\$ _____) dollars, as consideration for Bail
Bond number _____ filed with the Clerk of the
Court located in _____, Kentucky together with addi-
tional collateral security received from _____
of _____ as follows:
(address)

That a duly signed receipt has been given to the said _____ (principal) _____ for the consideration and/or that the said _____ has also been given a receipt for the collateral as described above.

Signature of Bondsman

Sworn to and subscribed before me in _____, _____,
Kentucky on this _____ day of _____, 19____.

HAROLD B. MCGUFFEY, Commissioner
ADOPTED: April 5, 1975
APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:25 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 38:010)

RELATES TO: KRS 304.38-060
PURSUANT TO: KRS 304.36-150, 13.082

NECESSITY AND FUNCTION: KRS 304.38-060 provides that applicant Health Maintenance Organizations satisfy the commissioner as to the reputation and capabilities of persons responsible for the conduct of its affairs, its financial responsibility and its financial basis in provisions for working capital prior to the issuance of a certificate of authority.

Section 1. The proposed health maintenance organization shall furnish the name and residence address of each individual who will be directors, officers or management of the health maintenance organization. A biographical resume must be furnished on each individual on a form prescribed by the commissioner.

Section 2. The health maintenance organization shall have sufficient funds originally to cover all initial organizational, promotional, and sales expenses, plus an additional amount sufficient to cover up to thirty (30) days operating expenses.

Section 3. The health maintenance organization shall cease issuing new contracts to enrollees, except newborn children or other newly acquired dependents of existing enrollees, when its admitted assets are less than \$80,000 in excess of its liabilities. The aforesaid shall not apply for the first thirty-six (36) months of operation under a certificate of authority for those health maintenance organizations which have no other source of funding for operating costs, except for revenues received from enrollees or revenues received thereon, other than through loans or loan guarantees which have been granted by the United States under Title XIII of the Health Maintenance Act of 1973, Section 1305.

Section 4. In order to help determine the financial responsibility of the health maintenance organization, it will be necessary for each health maintenance organization to furnish financial statements, for three (3) years after the certificate of authority has been issued, to the commissioner on a calendar quarter basis, i.e., as of March 31st, June 30th, September 30th and December 31st. These statements shall be filed upon a form prescribed by the commissioner no later than forty-five (45) days following the close of the calendar quarter. At the end of the three (3) year period as noted above, the commissioner may request the continuation of such quarterly reporting if he deems it necessary.

EDWARD L. FOSSETT, Chief Deputy Commissioner
ADOPTED: April 5, 1975
APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:32 a.m.

PUBLIC HEARING: A public hearing on this proposed regu-

Section 1. The Commissioner of Insurance prescribes the following form for a collateral security affidavit.

State of Kentucky)
County of)

_____ first being duly sworn, deposes and
(bondsman)
says:

PUBLIC HEARING: A public hearing on this proposed regu-

lation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 38:020)

RELATES TO: KRS 304.38-110

PURSUANT TO: KRS 304.38-110, 13.082

NECESSITY AND FUNCTION: KRS 304.38-110 provides that the commissioner shall promulgate rules and regulations necessary for licensure of a health maintenance organization agent. This regulation sets forth basic procedures to acquire and to keep an agents' license.

Section 1. (1) An "agent" means any person directly or indirectly associated with such organization who engages for profit or pecuniary gain in the solicitation or enrollment of persons in a health maintenance organization.

(2) "Profit or pecuniary gain" as used in this section means any type of compensation that a person receives from the health maintenance organization for which the solicitation or enrollment of members is made.

Section 2. To qualify for an agents' license, an applicant shall: (1) Be above the age of eighteen (18) years.

(2) Be a bona fide resident of and actually reside in this state;

(3) Be competent, trustworthy, financially responsible, and of good reputation;

(4) Pass any written examination required for the license under KRS Chapter 304, Subtitle 38.

(5) Be appointed as an agent by one or more corporations subject to the provisions of KRS Chapter 304, Subtitle 38;

(6) Make application to the commissioner in the manner and form prescribed by him. As a part or in connection with any application, the applicant shall furnish information concerning his identity, personal history, experience, business record, purposes, and any other information the commissioner may reasonably require; and,

(7) Pay the fee provided in KRS 304.38-160.

Section 3. Agents' licenses shall expire as of 12:01 a.m. on the first day of April next following date of issuance unless the licensee prior thereto has filed with the commissioner, on forms prescribed and furnished by him, a request for continuation of license for an ensuing twelve (12) month period. The request must be accompanied by payment of the renewal fee as provided in KRS 304.38-160.

Section 4. (1) Each corporation qualified under KRS Chapter 304, Subtitle 38 appointing an agent shall notify the commissioner by filing written notice in duplicate with the commissioner on forms prescribed and furnished by him, and shall pay the fee as provided in KRS 304.38-160. If the agent is then licensed, or as soon as licensed, the commissioner shall mail the appointment certificate to the corporation.

(2) Each appointment shall continue in force until:

(a) The commissioner notifies the corporation that the agent's license is terminated or revoked;

(b) The appointment is revoked by the corporation by written notice of revocation filed with the commissioner; or

(c) The corporation fails to renew the appointment.

Section 5. The commissioner may suspend, revoke, or refuse to renew any license issued under this regulation, for any of the following causes:

(1) For any cause for which issuance of the license could have been refused had it then existed and been known to the commissioner;

(2) If the licensee wilfully violates or knowingly participates in the violation of any provision of KRS Chapter 304, Subtitle 38 or this regulation;

(3) If the licensee obtains or attempts to obtain a license through wilful misrepresentation or fraud, or fails to pass any examination required under KRS Chapter 304, Subtitle 38.

(4) If the licensee has, with intent to deceive, materially misrepresented the terms or effect of any membership contract, or has engaged or is about to engage in any fraudulent transaction;

(5) If the licensee has been guilty of misrepresenting or of rebating, as defined in KRS Chapter 304, Subtitle 12;

(6) If the licensee has been convicted, by final judgment, of a felony;

(7) If in the conduct of his affairs under the license, the licensee has shown himself to be, and is deemed by the commissioner to be, incompetent or untrustworthy;

(8) If the licensee exercises powers outside the scope of his license;

(9) If the licensee misappropriates or converts to his own use or illegally withholds monies received in the conduct of business under the license, belonging to enrollees, members, the health maintenance organization or others.

EDWARD L. FOSSETT, Chief Deputy Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:31 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 38:030)

RELATES TO: KRS 304.38-050, 304.38-160, 304.38-180 (1)

PURSUANT TO: KRS 304.38-150, 13.082

NECESSITY AND FUNCTION: KRS 304.38-050 provides that health maintenance organization contracts be filed with and approved by the commissioner prior to their use. KRS 304.38-180 (1) prohibits the use of false or misleading advertising or evidences of coverage. The filing fees referred to are from Subtitle 4 of KRS Chapter 304.

Section 1. Any proposed master contracts or agreements, or proposed certificates or other evidences of coverage for enrollees shall be filed for approval by the commissioner. All sales material of any nature, including, but not limited to, television, radio or newspapers, shall be submitted for approval and shall conform to the department's current guidelines thereon. All materials required to be submitted shall contain thereon a proper identifying form number. A filing fee of two dollars (\$2) for each form or sales material is required to be submitted at the time of the filing.

EDWARD L. FOSSETT, Chief Deputy Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:31 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 38:040)

RELATES TO: KRS 304.38-040

PURSUANT TO: KRS 304.38-150, 13.082

NECESSITY AND FUNCTION: KRS 304.38-040 provides that a health maintenance organization supply the commissioner information upon application for certificate of authority. This regulation explains the authenticity of the health maintenance organization's financial projections and possibility of overlapping health maintenance organizations within a particular geographic area.

Section 1. The three (3) year projections for the financial program of the applicant health maintenance organization shall be prepared by an individual who has satisfied the commissioner by virtue of his training, education and experience that he is qualified to make such projections.

Section 2. The existence or proposed operation of health maintenance organizations in the same geographic area that could effect the number of prospective enrollees of the applicant health maintenance organization, shall be disclosed to the commissioner in the description of the initial geographic area to be served.

Section 3. In noting the sources of working capital and funding, the proposed health maintenance organization shall inform the commissioner whether there are grants, loans or loan guarantees, from the Federal Government; if so, the amounts thereof, rates of interest, if any, the schedule of repayment, if any, of the principal and interest. If the working capital and funding is derived from other than through the Federal Government, indicate such source, giving details of such program, including any schedule of repayments of principal and interest on loans which may have been made.

EDWARD L. FOSSETT, Chief Deputy Commissioner

ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:30 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
(806 KAR 38:050)

RELATES TO: KRS 304.38-070

PURSUANT TO: KRS 304.38-150, 13.082

NECESSITY AND FUNCTION: KRS 304.38-150 provides that the Commissioner of Insurance shall adopt reasonable rules and regulations to administer KRS Chapter 304, Subtitle 38. This regulation provides that the health maintenance organization satisfy the commissioner as to their fiscal soundness so as to guarantee that its obligations to enrollees will be performed.

Section 1. Each health maintenance organization choosing to meet the financial requirements of KRS 304.38-070 by depositing with the commissioner through the Custodian of Insurance Securities, certificates of deposit, cash, or general obligations issued, assumed or guaranteed by the United States, shall maintain their said deposits at market value at least equal to their required amount of deposit. Any general obligations referred to herein shall be in bearer form.

Section 2. The health maintenance organization shall pay into the Treasury of the Commonwealth, through the Office of the Commissioner of Insurance, its portion of the expense fund used in paying the custodians salary, premium on his bond and other necessary expenses incident to the office used by the custodian. The portion of such expense fund to be paid by each company shall be in the same approximate proportion as the amount such company had on deposit on December 31st of the preceding year bears to the total of deposits with the Custodian of Insurance Securities as of December 31st of the preceding year. The commissioner shall assess such company for its proportionate share of such expense fund. The minimum charge for each company shall be two dollars (\$2).

EDWARD L. FOSSETT, Chief Deputy Commissioner
ADOPTED: April 5, 1975

APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:32 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 10 a.m. EDT June 3 and June 4, 1975 in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky. For additional information or submission of comments, contact: Kentucky Department of Insurance, Second Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Public Service Commission
(807 KAR 2:060)

RELATES TO: KRS Chapter 227

PURSUANT TO: KRS 227.489

SUPERSEDES: PSC:Elec-1-XXIII

NECESSITY AND FUNCTION: KRS 227.489 requires that the Public Service Commission examine and certify Electrical Inspectors who are engaged in the inspection of electrical light and power wiring installations. This regulation establishes rules which apply to certification procedures.

Section 1. Certification of Electrical Inspectors. (1) Applicability. This regulation shall apply to electrical inspectors in the employ of cities of the second and third class and/or the counties containing those cities.

(2) Definitions. The following words and terms, when used in these rules shall have the meanings indicated:

- (a) Applicant: the person seeking to be certified as an electrical inspector.
- (b) Commission: the Public Service Commission of Kentucky.
- (c) Electrical inspector: any person employed by a city and/or county, as heretofore discussed under applicability, and engaged in the inspection of wiring used for the purpose of furnishing heat, light, or power.
- (d) Certified electrical inspector: an electrical inspector who has met the criteria established by the commission for examination, has satisfactorily passed that examination, and has received a certificate attesting thereto.
- (e) Employee: one who is employed on a full-time, part-time or contractual basis.
- (f) Electrical: pertains to the installation of wires and conduits for the purpose of transmitting electricity, and the installation of fixtures and equipment in connection therewith.
- (g) Electrical industry: pertains to those engaged in the generation, transmission and distribution of electricity; the design, manufacture, construction, installation, alteration or repair of electrical wiring facilities and apparatus for the utilization of electricity.

(3) Qualifications for electrical inspectors. Prior to being examined by the commission the applicant must meet the following requirements:

- (a) 1. Applicant shall be an employee of a second or third class city and/or the county containing a second or third class city. Evidence of employment must accompany the application, and shall consist of a written statement from the appropriate city or

county official.

2. An applicant not presently employed who has a job commitment from a city or county subject to his being certified may take the exam if otherwise qualified. He should attach to his application a letter of commitment from the appropriate city or county to that effect.
- (b) Applicant shall not be engaged in any other activity in the electrical industry which might in any way constitute a conflict of interest. (Electrical contractors, electricians, and employees of electric utilities are expressly prohibited.)
- (c) 1. Applicant shall have had not less than four (4) years experience in the field of electrical inspection of all types of residential, commercial, and industrial electrical light and power wiring systems, installed in accordance with the National Electrical Code, or;
2. Applicant shall have had not less than eight (8) years of experience in the installation and/or design, of all types of residential, commercial, and industrial electrical light and power wiring systems, installed in accordance with the National Electrical Code.
- (d) Applicant shall possess the ability to speak, read, and write the English language, and possess a general educational level satisfactory to perform his duties.
- (e) Applicant shall submit a duly notarized application, which shall be supplied by the commission on request, wherein all pertinent personal information and experience shall be stated. Application must be received by the commission at least thirty (30) days prior to the desired examination date.
- (f) A fee of ten dollars (\$10) shall accompany the application, consisting of a check or money order made payable to the State Treasurer.
- (4) Examinations:
 - (a) Examinations for qualified applicants shall be administered beginning at 1:00 p.m. on the first Tuesday of the months of February, May, August, and November unless otherwise scheduled by the commission.
 - (b) Examinations will be administered at the commission's offices, 24th Floor, Capital Plaza Tower, Frankfort, Kentucky.
 - (c) Examination will be based on the National Electrical Code and will be open book. Applicant must provide his own code book.
 - (d) A grade of seventy (70) percent shall be considered passing. An applicant, otherwise qualified, who fails to make a passing score shall, upon request, be scheduled for re-examination at the next examination date without the paying of additional fees.
 - (e) No applicant shall be certified without successfully passing the examination.
- (5) Certification:
 - (a) Certificates will be issued to individuals and not to corporations, partnerships, companies or any other entities and will be valid for a period of two (2) years from the date of issue.
 - (b) Certificates will be reissued upon request prior to expiration. The fee for renewal shall be two dollars (\$2).
 - (c) The certificate shall state the unit or units of local government by which the applicant is employed. The certificate shall not be valid in any other locality or jurisdiction.
- (6) Revocation of certificates:
 - (a) The commission may revoke, suspend or refuse to renew the certificate of an electrical inspector who is determined by the commission to be guilty of:
 1. Fraud, deceit or misrepresentation in obtaining certification.
 2. Negligence, incompetence or misconduct in the field of electrical inspection.
 3. Affixing or causing to be affixed to any electrical installation subject to his inspection a seal of approval, where he has not personally inspected such installation and found it to be satisfactory.
 4. Operating as an electrical inspector in localities or jurisdiction other than those for which his certificate is issued.
- (7) Policing and Fees. The responsibility for policing the activities of electrical inspectors and the establishment of fees or other compensation rests with the employing unit of local government.

BARKLEY J. STURGILL, Vice-Chairman

ADOPTED: March 17, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: March 26, 1975 at 11:04 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary, Public Service Commission, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Banking and Securities
(808 KAR 10:010)

RELATES TO: KRS Chapter 292

PURSUANT TO: KRS 292.500(3), 13.082

SUPERSEDES: SR 500(3)-1

NECESSITY AND FUNCTION: To promulgate and make available to persons affected by the Kentucky Securities Act the forms necessary for registration, reporting and general compliance.

Section 1. The following forms are filed herein by reference, for use by those persons affected by the Act. The requirements and instructions contained in the forms shall have the same force and effect as rules and regulations duly promulgated. Copies may be obtained from the Department of Banking and Securities, 911 Leewood Drive, Frankfort, Kentucky 40601.

- (1) Form 33 (amended); Application for Registration as Broker-Dealer.
- (2) Form 33-b; For Individuals, Partners, Officers, Trustees and Directors of a Corporation.
- (3) Form 33-c; Application for Registration as Agent.
- (4) Form 33-e (amended); Application for Renewal of Broker-Dealer's and Agent's Licenses.
- (5) Form 33-f; Application for Transfer of Agent.
- (6) Form 33-h; Application for Registration of an Investment Adviser.
- (7) Form 33-h-1; Application for Renewal of Investment Adviser's License.
- (8) Form 34; Report to be Filed by an Issuing Company Registered for the Purpose of Selling its Own Securities.
- (9) Form 35; Application for Registration of Securities by Notification.
- (10) Form 35-a; Registration by Notification (Non-Issuer Distribution).
- (11) Form 36 (amended); Application for Registration of Securities by Coordination.
- (12) Form 36-a (amended); Application for Annual Registration of Securities by Coordination.
- (13) Form 37 (amended); Application for Registration of Securities by Qualification.
- (14) Form 38-a; Impounding Agreement.
- (15) Form 43; Consent to Service of Jurisdiction and Process (Issuer).
- (16) Form 43-a; Resolution (Investment Adviser or Issuer).
- (17) Form 43IA; Consent to Service of Jurisdiction and Process (Investment Adviser).

HOWARD T. SALLEE, Commissioner

ADOPTED: April 11, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:35 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leewood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Banking and Securities
(808 KAR 10:020)

RELATES TO: KRS Chapter 292

PURSUANT TO: KRS 292.500(3), 13.082

SUPERSEDES: SR 330(5)-1, 2, 3, 4, 5, 6, 7

NECESSITY AND FUNCTION: To insure that broker-dealers entrusted with the custody of their customers' money and securities are sufficiently capitalized and sufficiently liquid so as to reduce the risk of customer loss in the event the broker-dealer encounters financial misfortune.

Section 1. No broker-dealer shall permit his aggregate indebtedness to all other persons to exceed 2,000 per centum of his net capital, and every broker-dealer shall have the net capital necessary to comply with the following conditions:

- (1) If he became registered as a broker-dealer on and after August 13, 1971, his aggregate indebtedness to all other persons on and after August 30, 1972, and for twelve (12) months after becoming registered shall not exceed 800 per centum of his net capital, and except as provided for in subsections (3) and (4) hereof, he shall have and maintain net capital of not less than \$25,000; and
- (2) If he became registered as a broker-dealer before August 13, 1971, and he does not come within the provisions of subsections (3) or (4) hereof, he shall have and maintain net capital of not less than \$15,000 commencing July 31, 1973, and \$25,000 commencing July 31, 1974;
- (3) Notwithstanding the provisions of subsections (1) and (2) hereof, if he promptly transmits all funds and delivers all securities received in connection with his activities as a broker-dealer, and does not otherwise hold funds or securities for, or owe money or securities to, customers he shall have and maintain net capital of not less than \$5,000 if he does not otherwise carry accounts of or for customers; and
- (4) The minimum net capital to be maintained by a broker-dealer meeting all the following conditions shall be \$2,500:
 - (a) His dealer transactions (as principal for his own account) are limited to the purchase, sale and redemption of redeemable shares of registered investment companies; except that a broker-dealer

transacting business as a sole proprietor may also effect occasional transactions in other securities for his own account with or through another registered broker-dealer;

(b) His transactions as broker (agent) are limited to:

1. The sale and redemption of redeemable securities of registered investment companies;
2. The sale of securities for the account of a customer to obtain funds for immediate reinvestment in redeemable securities of registered investment companies; and
- (c) He promptly transmits all funds and delivers all securities received in connection with his activities as a broker-dealer, and does not otherwise hold funds or securities for, or owe money or securities to, customers.

Section 2. The following exemption to this rule shall apply: (1) The provisions of this rule shall not apply to any broker who is also a licensed insurance agent under the laws of any state or the District of Columbia, whose securities business is limited to effecting transactions in variable annuity contracts as general agent for the issuer, who promptly transmits all funds and delivers all variable annuity contracts received in connection therewith, and who does not otherwise hold funds or securities for or owe money or securities to customers, if the issuer files with the director an undertaking satisfactory to it that the issuer will assume responsibility for all valid claims arising out of all activities of such agent in effecting transactions in such variable annuity contracts; provided, however, that a broker transacting business as a sole proprietor who meets all other conditions of this subsection may also effect occasional transactions in other securities for his own account with or through another registered broker-dealer.

(2) The provisions of this rule shall not apply to any member in good standing and subject to the capital rules of the American Stock Exchange, the Boston Stock Exchange, the Midwest Stock Exchange, the New York Stock Exchange, the Pacific Coast Stock Exchange, the PBM Stock Exchange, or the Chicago Board Options Exchange, Inc., whose rules, settled practices and applicable regulatory procedures are deemed by the director to impose requirements more comprehensive than the requirements of this rule; provided, however, that the exemption as to the members of any exchange may be suspended or withdrawn by the director at any time, by sending ten (10) days written notice to such exchange, if it appears to the director to be necessary or appropriate in the public interest or for the protection of investors so to do. This exemption shall not be available to the members of any exchange whose capital rules do not provide that in the computation of net capital there shall be a deduction of not less than ten (10) percent of the contract price of each item in the securities failed to deliver account which is outstanding forty (40) to forty-nine (49) calendar days; twenty (20) percent of the contract price of each item in the securities failed to deliver account which is outstanding fifty (50) to fifty-nine (59) calendar days; and thirty (30) percent of the contract price of each item in the securities failed to deliver account which is outstanding sixty (60) or more calendar days.

(3) The director may, upon written application, exempt from the provisions of this rule, either unconditionally or on specified terms and conditions, any broker-dealer who satisfies the director that, because of the special nature of his business, his financial position, and the safeguards he has established for the protection of customers' funds and securities, it is not necessary in the public interest or for the protection of investors to subject the particular broker-dealer to the provisions of this rule.

Section 3. For purposes of this rule the following definitions shall apply: (1) The term "aggregate indebtedness" shall be deemed to mean the total money liabilities of a broker-dealer arising in connection with any transaction whatsoever, including, among other things: money borrowed; money payable against securities loaned and securities "failed to receive;" the market value of securities borrowed (except for delivery against customers' sales) to the extent to which no equivalent value is paid or credited; customers' free credit balances; credit balances in customers' accounts having short positions in securities; and equities in customers' commodities futures accounts; but excluding:

- (a) Indebtedness adequately collateralized, as herein-after defined, by securities or spot commodities owned by the broker-dealer;
- (b) Indebtedness to other broker-dealers adequately collateralized, as hereinafter defined, by securities or spot commodities owned by the broker-dealer;
- (c) Amounts payable against securities loaned which securities are owned by the broker-dealer;
- (d) Amounts payable against securities failed to receive which securities were purchased for the account of, and have not been sold by, the broker-dealer;
- (e) Indebtedness adequately collateralized, as herein-after defined, by exempted securities;
- (f) Amounts segregated in accordance with the Commodity Exchange Act and the rules and regulations thereunder;
- (g) Fixed liabilities adequately secured by real estate or any other asset which is not included in the computation of "net capital" under this rule;
- (h) Liabilities on open contractual commitments;
- (i) Indebtedness subordinated to the claims of general creditors pursuant to a satisfactory subordination

agreement, as hereinafter defined;

- (j) Liability reserves established and maintained for refunds of charges required by Section 27(d) and 27(f) of the Investment Company Act of 1940, but only to the extent of the amounts on deposit in a segregated trust account in accordance with Rule 27d-1 under the Investment Company Act of 1940.

(2) The term "net capital" shall be deemed to mean the net worth of a broker-dealer (that is, the excess of total assets over total liabilities), adjusted by:

- (a) Adding unrealized profits (or deducting unrealized losses) in the accounts of the broker-dealer and, if such broker-dealer is a partnership, adding equities (or deducting deficits) in accounts of partners, as hereinafter defined;
- (b) Deducting fixed assets and assets which cannot be readily converted into cash (less any indebtedness secured thereby) including, among other things, real estate; furniture and fixtures; exchange memberships; prepaid rent, insurance and expenses; good will; organization expenses; all unsecured advances and loans; customers' unsecured notes and accounts; deficits in customers' accounts, except in bona fide cash accounts within the meaning of Section 4(c) of Regulation T of the Board of Governors of the Federal Reserve System; and the funds on deposit in a "segregated trust account" in accordance with Rule 27d-1 under the Investment Company Act of 1940, but only to the extent that the amounts on deposit in such segregated trust account exceed the amount of liability reserves established and maintained for refunds of charges required by Sections 27(d) and 27(f) of the Investment Company Act of 1940. Provided, however, that the cash and market value of securities, as reduced by the appropriate percentages provided in paragraph (c) below, which are deposited with a clearing fund maintained by a clearing corporation or similar department or association of a national securities exchange or registered national securities association using a continuous net settlement system for the clearance and settlement of securities transactions (hereinafter called "clearing agency") need not be deducted under the provisions of this subsection.

- (c) Deducting the percentages specified below of the market value of all securities, long and short (except exempted securities) in the capital, proprietary and other accounts of the broker-dealer, including securities loaned to the broker-dealer, pursuant to a satisfactory subordination agreement as hereinafter defined, and if such broker-dealer is a partnership, in the accounts of partners, as hereinafter defined:

1. In the case of nonconvertible debt securities having a fixed interest rate and a fixed maturity date which are not in default, if the market value is not more than five (5) percent below the face value, the deduction shall be five (5) percent of such market value; if the market value is more than five (5) percent but not more than thirty (30) percent below the face value, the deduction shall be a percentage of market value, equal to the percentage by which the market value is below the face value; and if the market value is thirty (30) percent or more below the face value, such deduction shall be thirty (30) percent.
 2. In case of cumulative, nonconvertible preferred stock ranking prior to all other classes of stock of the same issuer, which is not in arrears as to dividends, the deduction shall be twenty (20) percent;
 3. In the case of a debt security not in default which has a fixed rate of interest and a fixed maturity date and which is convertible into an equity security, the deduction shall be as follows: If the market value is ninety (90) percent or more of the face value, the deduction shall be thirty (30) percent of the market value, but in no event shall such deduction reduce the value of such security below eighty (80) percent of face value for the purposes of this section; if the market value is below the face value by more than ten (10) percent but not more than thirty (30) percent the deduction shall be a percentage of market value equal to the percentage by which the market value is below the face value; if the market value is thirty (30) percent or more below the face value, the deduction shall be thirty (30) percent.
 4. On all other securities, the deduction shall be thirty (30) percent; provided, however, that such deduction need not be made in the case of (i) a security which is convertible into or exchangeable for other securities within a period of thirty (30) days, subject to no conditions other than the payment of money, and the other securities into which such security is convertible, or for which it is exchangeable, are short in the accounts of such broker-dealer or partner; or (ii) a security which has been called for redemption and which is redeemable within ninety (90) days.
- (d) Deducting thirty (30) percent of the market value of all "long" and all "short" future commodity contracts (other than those contracts representing spreads or straddles in the same commodity and those contracts offsetting or hedging any "spot" commodity

positions) carried in the capital, proprietary or other accounts of the broker-dealer and, if such broker-dealer is a partnership, in the accounts of partners as hereinafter defined;

- (e) Deducting, in the case of a broker-dealer who has open contractual commitments, the respective deductions as specified in paragraph (c) of this subsection, from the value (which shall be the market value whenever there is a market) of each net long and each net short position contemplated by any existing contractual commitment in the capital, proprietary and other accounts of a broker-dealer and, if such broker-dealer is a partnership, in accounts of partners, as hereinafter defined; provided, however, that this deduction shall not apply to exempted securities, and that the deduction with respect to any individual commitment shall be reduced by the unrealized profit, in any amount not greater than the deduction provided for in paragraph (c) of this subsection (or increased by the unrealized loss), in such commitment; and that in no event shall an unrealized profit on any closed transactions operate to increase net capital.
- (f) Deducting an amount equal to one and one-half (1 1/2) percent of the market values of the total long or total short futures contracts in each commodity, whichever is greater, carried for all customers.
- (g) Excluding liabilities of the broker-dealer which are subordinated to the claims of general creditors pursuant to a satisfactory subordination agreement as herein defined.
- (h) Deducting, in the case of a broker-dealer who is a sole proprietor, the excess of (i) liabilities which have not been incurred in the course of business as a broker-dealer over (ii) assets not used in the business.
- (i) Deducting ten (10) percent of the contract price of each item in the securities failed to deliver account which is outstanding forty (40) to forty-nine (49) calendar days; deducting twenty (20) percent of the contract price of each item in the securities failed to deliver account which is outstanding fifty (50) to fifty-nine (59) calendar days; and deducting thirty (30) percent of the contract price of each item in the securities failed to deliver account which is outstanding sixty (60) or more calendar days.

(3) The term "exempted securities" shall mean those securities specifically defined as exempted securities in Section 3(a) of the Securities Exchange Act of 1934;

(4) The term "accounts of partners," where the broker-dealer is a partnership, shall mean accounts of partners who have agreed in writing that the equity in such accounts maintained with such partnership shall be included as partnership property;

(5) The term "contractual commitments" shall include underwriting, when-issued, when-distributed and delayed delivery contracts, endorsements of puts and calls, commitments in foreign currencies, and spot (cash) commodities contracts, but shall not include uncleared regular way purchases and sales of securities and contracts in commodities futures; a series of contracts of purchase or sale of the same security conditioned, if at all, only upon issuance may be treated as an individual commitment;

(6) Indebtedness shall be deemed to be "adequately collateralized" within the meaning of this rule, when the difference between the amount of the indebtedness and the market value of the collateral is sufficient to make the loan acceptable as a fully secured loan to banks regularly making comparable loans to broker-dealers in the community;

(7) The term "satisfactory subordination agreement" shall mean a written agreement duly executed by the broker-dealer and the lender, which agreement is binding and enforceable in accordance with its terms upon the lender, his creditors, heirs, executors, administrators, and assigns, and which agreement satisfies all of the following conditions:

- (a) It effectively subordinates any right of the lender to demand or receive payment or return of the cash or securities loaned to the claims of all present and future creditors of the broker-dealer;
- (b) The cash or securities are loaned for a term of not less than one (1) year;
- (c) It provides that the agreement shall not be subject to cancellation by either party, and that the loan shall not be repaid and the agreement shall not be terminated, rescinded or modified by mutual consent or otherwise if the effect thereof would be to make the agreement inconsistent with the conditions of this rule or to reduce the net capital of the broker-dealer below the amount required by this rule;
- (d) It provides that no default in the payment of interest or in the performance of any covenant or condition by the broker-dealer shall have the effect of accelerating the maturity of the indebtedness;
- (e) It provides that any notes or other written instruments evidencing the indebtedness shall bear on their face an appropriate legend stating that such notes or instruments are issued subject to the provisions of a subordination agreement which shall be adequately referred to and incorporated by reference;
- (f) It provides that any securities or other property loaned to the broker-dealer pursuant to its provi-

sions may be used and dealt with by the broker-dealer as part of his capital and shall be subject to the risks of the business;

(8) The term "customer" shall mean every person except the broker-dealer; provided, however, that partners who maintain "accounts of partners" as herein defined shall not be deemed to be customers insofar as such accounts are concerned;

(9) The term "clearing fund" shall mean a fund established by a clearing agency to receive and hold deposits of cash or securities or both cash and securities from members of such clearing agency for use in payment, and as security for payment, of the liabilities of such members to such clearing agency, or for use in payment by the clearing agency of liabilities it has incurred as a result of its clearing and settling of securities transactions;

(10) The term "continuous net settlement system" shall mean that system for the clearing and settlement of securities transactions whereby a clearing agency:

- (a) Compares trade execution data submitted by members to arrive at agreed upon contract terms;
- (b) On a given date nets purchases and sales of securities by a member with such member's previously unfulfilled purchase or sale obligations with respect to such securities;
- (c) Allocates delivery obligations as to money and securities between members and the clearing agency itself for unsettled transactions; and
- (d) Acts as the other party in the settlement of cleared transactions between members with respect to both money and securities.

HOWARD T. SALLEE, Commissioner

ADOPTED: April 11, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:36 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leawood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Banking and Securities
(808 KAR 10:030)

RELATES TO: KRS Chapter 292

PURSUANT TO: KRS 292.500(3), 13.082

SUPERSEDES: SR 330(11)(f)-2

NECESSITY AND FUNCTION: To insure that broker-dealers and agents consider the "suitability" of the security they sell to the customer and to insure that broker-dealers adequately supervise the conduct of their employees.

Section 1. Every registered broker-dealer and every registered agent who recommends to a customer the purchase, sale or exchange of any security shall have reasonable grounds to believe that the recommendation is not unsuitable for such customer on the basis of information furnished by such customer after reasonable inquiry concerning the customer's investment objectives, financial situation and needs, and any other information known by such broker-dealer or agent.

Section 2. Every registered agent of a registered broker-dealer shall be subject to the supervision of a supervisor designated by such broker-dealer. The supervisor may be a partner, officer, office manager or any other qualified person, or in the case of a sole proprietor, the broker-dealer.

Section 3. As part of his responsibility under this rule, every registered broker-dealer shall establish, maintain and enforce written procedures, a copy of which shall be kept in each business office, which shall set forth the procedures adopted by the broker-dealer to comply with the following duties imposed by this rule:

- (1) The review and written approval by the designated supervisor of the opening of each new customer account;
- (2) The frequent examination of all customer accounts to detect and prevent irregularities or abuse;
- (3) The prompt review and written approval of the designated supervisor of all securities transactions by registered agents and all correspondence pertaining to the solicitation or execution of all securities transactions by the agents;
- (4) The prompt review and written approval of the handling of all customer complaints.

HOWARD T. SALLEE, Commissioner

ADOPTED: April 11, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:38 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leawood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Banking and Securities
(808 KAR 10:040)

RELATES TO: KRS Chapter 292

PURSUANT TO: KRS 292.500(3), 13.082

SUPERSEDES: SR 330(12)(a)-1

NECESSITY AND FUNCTION: To clarify and define the phrase "dishonest or unethical conduct" as it appears in KRS 292.330(12)(a)7.

Section 1. For purposes of KRS 292.330(12)(a)7., the phrase dishonest or unethical practice shall include but not be limited to:

- (1) Unreasonable delay or failure to execute orders, liquidate customers' accounts or in making delivery of securities purchased or remittances (or credit) of securities sold.
- (2) Selling securities at unfair prices in relation to market value, or with unreasonable or excessive markups or commission.
- (3) Effecting transactions in the account of a customer, without his knowledge or consent or maintaining discretionary accounts without written authorization.
- (4) Willful switches, churning, overtrading or reloading of securities in a customer's account for the purpose of accumulating or compounding commissions.
- (5) Inducing a customer to invest beyond his known immediate financial resources or without regard to the nature and character of such account.
- (6) Engaging or aiding in "boiler room" operations or high pressure tactics in connection with the promotion of speculative offerings or "hot issues" by means of an intensive telephone campaign, whereby the prospective purchaser is encouraged to make a hasty decision to buy irrespective of his investment needs and objectives.
- (7) Participation in the solicitation or offer for sale of securities without the use and dissemination of a prospectus (where required), or making oral or written statements contrary to or inconsistent with the disclosures contained therein.
- (8) Making false, misleading, deceptive, exaggerated or flamboyant representations or predictions in the solicitation or sale of a security as for example:
 - (a) That the security will be resold or repurchased;
 - (b) That it will be listed or traded on an exchange or established market;
 - (c) That it will result in an assured, immediate or extensive increase in value, future market price, or return on investments;
 - (d) With respect to the issuer's financial condition, anticipated earnings, potential growth or success;
 - (e) That there is a guarantee against risk loss.
- (9) Failing to disclose a dual agency capacity or effecting transactions upon terms and conditions other than those stated per confirmations.
- (10) Failing to make a bona fide public offering pursuant to an underwriting agreement or entering into an underwriting agreement which establishes unfair or unreasonable terms and conditions or compensation.
- (11) Establishing fictitious accounts in order to execute transactions which would otherwise be prohibited.
- (12) Entering into agreements for selling concessions, discounts, commissions or allowances as consideration, for services in connection with the distribution or sale of a security in Kentucky with any nonlicensed broker-dealer or agent, unless such person is not required to be registered in order to engage in the securities business in this state.
- (13) Operating a securities business while being unable to meet current liabilities or violating any rule or order relating to minimum capital, bond, record-keeping and report requirements, or provisions concerning use, commingling or hypothecation of customer's funds or securities.
- (14) Failure or refusal to furnish a customer, upon reasonable request, information to which he is entitled, or to respond to a formal written demand or complaint.

HOWARD T. SALLEE, Commissioner

ADOPTED: April 11, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:38 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leawood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Banking and Securities
(808 KAR 10:050)

RELATES TO: KRS Chapter 292

PURSUANT TO: KRS 292.500(3), 13.082

SUPERSEDES: SR 330(3)-1

NECESSITY AND FUNCTION: To insure that applicants for registration as agents diligently pursue the disposition of the application.

Section 1. An application for registration as agent shall be presumed to have been withdrawn if the applicant takes no affirmative action to consummate the registration for a period in excess of ninety (90) days.

HOWARD T. SALLEE, Commissioner

ADOPTED: April 11, 1975
 APPROVED: ELIJAH M. HOGGE, Secretary
 RECEIVED BY LRC: April 14, 1975 at 11:36 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leawood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
 Department of Banking and Securities
 (808 KAR 10:060)

RELATES TO: KRS Chapter 292
 PURSUANT TO: KRS 292.500(3), 13.082
 SUPERSEDES: SR 380(6)-1

NECESSITY AND FUNCTION: To permit the department to insure that all applications for registration are being actively pursued and to provide administrative due process of law when applicants encounter legitimate unavoidable delay.

Section 1. When a registration statement, or a post-effective amendment to such a statement, has been on file with the director for a period of nine (9) months and has not become effective, the director may, in his discretion proceed in the following manner to determine whether such registration statement or amendment has been abandoned by the registrant:

(1) A notice will be sent to the registrant and to the agent for service named in the registration statement by registered or certified mail, return receipt requested, addressed to the most recent addresses for the registrant and the agent for service reflected in the registration statement. Such notice will inform the registrant and the agent for service that the registration statement or amendment is out of date and must be either amended to comply with the applicable requirements of the Act and the rules and regulations thereto, or be withdrawn within thirty (30) days after the date of such notice.

(2) If the registrant or the agent for service fails to respond to such notice by filing a substantive amendment or withdrawing the registration statement or does not furnish a satisfactory explanation as to why he has not done so within such thirty (30) days, the director may, where consistent with the public interest and the protection of investors, enter an order declaring the registration statement or amendment abandoned.

(3) When such an order is entered by the director, the papers comprising the registration statement or amendment will be returned to the registrant, except that the registration fee and the examination fee will be deemed to be forfeited and will not be returned.

Section 2. If the registration statement has been amended, otherwise than for the purpose of delaying the effective date thereof, or if the post-effective amendment has been amended, the nine (9) month period shall be computed from the date of the latest such amendment.

ADOPTED: April 11, 1975
 APPROVED: ELIJAH M. HOGGE, Secretary
 RECEIVED BY LRC: April 14, 1975 at 11:40 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leawood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
 Department of Banking and Securities
 (808 KAR 10:070)

RELATES TO: KRS Chapter 292
 PURSUANT TO: KRS 292.500(3), 13.082
 SUPERSEDES: SR 380(2)-1

NECESSITY AND FUNCTION: To insure that persons who have potential liability by reason of the filing of an application for registration of securities have read and signed the registration statement.

Section 1. A registration statement filed under the Act shall be signed by the registrant, its principal executive officer or officers, its principal finance officer, its controller, or principal accounting officer and by at least the majority of the board of directors or persons performing similar functions.

Section 2. The name of each person who signs the registration statement should be typed or printed beneath the signature. Any person who occupies more than one (1) of the specified positions shall indicate each capacity in which he signs the registration statement.

ADOPTED: April 11, 1975
 APPROVED: ELIJAH M. HOGGE, Secretary
 RECEIVED BY LRC: April 14, 1975 at 11:39 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leawood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
 Department of Banking and Securities
 (808 KAR 10:080)

RELATES TO: KRS Chapter 292
 PURSUANT TO: KRS 292.500(3), 13.082
 SUPERSEDES: SR 390(1)(f)-1

NECESSITY AND FUNCTION: To provide guidelines for issuers of securities of promotional companies in reference to KRS 292.390(1)(f).

Section 1. An offering of securities to be registered pursuant to KRS 292.370, by a promotional company shall meet the following conditions:

- (1) There shall exist a reasonable relationship between:
 - (a) The consideration paid by the promoters and the public offering price;
 - (b) The number of shares issued and the total amount of securities to be outstanding upon completion of the offering;
 - (c) The percentage of the promoters' equity and the amount of their investment.

(2) The sale of the securities at the proposed public offering price will not cause a dilution of the public purchaser's investment greater than thirty-three and one-third (33 1/3) percent.

HOWARD T. SALLEE, Commissioner

ADOPTED: April 11, 1975
 APPROVED: ELIJAH M. HOGGE, Secretary
 RECEIVED BY LRC: April 14, 1975 at 11:40 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leawood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
 Department of Banking and Securities
 (808 KAR 10:090)

RELATES TO: KRS Chapter 292
 PURSUANT TO: KRS 292.500(3), 13.082
 SUPERSEDES: SR 380(7)-3

NECESSITY AND FUNCTION: To provide a method by which issuers may keep a registration statement current beyond the initial one (1) year period of registration.

Section 1. The person who files a registration statement pursuant to KRS 292.360, except a registration statement which relates only to redeemable securities issued by an open-end management company as defined in the Investment Company Act of 1940, may keep the registration statement current by filing the following:

(1) A copy of the issuer's annual report on Form 10-K as filed with the Securities and Exchange Commission pursuant to Section 13 or Section 15(d) of the Securities Exchange Act of 1934, or a document containing equivalent information acceptable to the director.

(2) A statement of the aggregate amount of securities sold in the State of Kentucky during the preceding twelve (12) month period.

HOWARD T. SALLEE, Commissioner

ADOPTED: April 11, 1975
 APPROVED: ELIJAH M. HOGGE, Secretary
 RECEIVED BY LRC: April 14, 1975 at 11:41 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leawood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
 Department of Banking and Securities
 (808 KAR 10:100)

RELATES TO: KRS Chapter 292
 PURSUANT TO: KRS 292.500(3), 13.082
 SUPERSEDES: SR 330(11)(a)-1, 2

NECESSITY AND FUNCTION: To insure that all broker-dealers maintain and preserve sufficient records for the efficient operation of their business and for the protection of their customers.

Section 1. Every broker-dealer shall make and keep current the following books and records relating to his business:

(1) Blotters (or other records of original entry) containing an itemized daily record of all purchases and sales of securities, all receipts and deliveries of securities (including certificate numbers), all receipts and disbursements of cash, and all other debits and credits. Such records shall show the account for which each such transaction was effected, the name and amount of securities, the unit and aggregate purchase or sale price (if any), the trade date, and the name or other designation of the person from whom purchased or received or to whom sold or delivered.

(2) Ledgers (or other records) reflecting all assets and liabilities, income and expense and capital accounts.

(3) Ledger accounts itemized separately as to each cash and margin account of every customer reflecting all purchases, sales, receipts, and deliveries of securities and commodities for such account and all other debits and credits to such account.

(4) Ledgers (or other records) reflecting the following:

- (a) Securities in transfer;
- (b) Dividends and interest received;
- (c) Securities borrowed and securities loaned;
- (d) Monies borrowed and monies loaned (together with a record of the collateral therefor and substitutions in such collateral);

(e) Securities failed to receive and failed to deliver;

(5) A securities record or ledger reflecting separately for each security as of the clearance dates all "long" or "short" positions (including securities in safekeeping) carried by such broker-dealer for his account or for the account of his customers or partners and showing the location of all securities long and the offsetting position to all securities short and in all cases the name or designation of the account in which each position is carried.

(6) A memorandum of each brokerage order, and of any other instruction, given or received for the purchase or sale of securities, whether executed or unexecuted. Such memorandum shall show the terms and conditions of the order or instructions and of any modification or cancellation thereof, the account for which entered, the time of entry, the price at which executed and, to the extent feasible, the time of execution or cancellation. Orders entered pursuant to the exercise of discretionary power by such broker-dealer, or any employee thereof, shall be so designated. The term "instruction" shall be deemed to include instructions between partners and employees of a broker-dealer. The term "time of entry" shall be deemed to mean the time when such broker-dealer transmits the order of instruction for execution or, if it is not so transmitted, the time when it is received.

(7) A memorandum of each purchase and sale of securities for the account of such broker-dealer showing the price and, to the extent feasible, the time of execution.

(8) Copies of confirmations of all purchases and sales of securities and copies of notices of all other debits and credits for securities, cash and other items for the account of customers and partners of such broker-dealer.

(9) A record in respect of each cash and margin account with such broker-dealer containing the name and address of the beneficial owner of such account and, in the case of a margin account, the signature of such owner; provided that, in the case of a joint account or an account of a corporation, such records are required only in respect of the person or persons authorized to transact business for such account.

(10) A record of all puts, calls, spreads, straddles and other options in which such broker-dealer has any direct or indirect interest of which such broker-dealer has granted or guaranteed, containing, at least, an identification of the security and the number of units involved. Such records shall not be required with respect to any cash transaction of \$100 or less involving only subscription rights or warrants which by their terms expire within ninety (90) days after the issuance thereof.

Section 2. Every broker-dealer shall preserve for a period of not less than three (3) years and, for the first two (2) years, in an easily accessible place, the following:

(1) All check books, bank statements, canceled checks and cash reconciliations.

(2) All bills receivable or payable (or copies thereof) paid or unpaid relating to the business of such broker-dealer as such.

(3) Originals of all communications received and copies of all communications sent by such broker-dealer (including interoffice memoranda and communications) relating to his business as such.

(4) All trial balances, financial statements, branch office reconciliations and internal audit working papers, relating to the business of such broker-dealer as such.

(5) All guarantees of accounts and all powers of attorney and other evidence of the granting of any discretionary authority given in respect of any account, and copies of resolutions empowering an agent to act on behalf of a corporation.

(6) All written agreements (or copies thereof) entered into by such broker-dealer relating to his business as such, including agreements with respect to any account.

Section 3. Every such broker-dealer shall preserve for a period of not less than six (6) years after the closing of any customer's account, any account cards or records which relate to the terms and conditions with respect to the opening and maintenance of such account.

Section 4. Every such broker-dealer shall preserve during the life of the enterprise and of any successor enterprise all partnership articles or, in the case of a corporation, all articles of incorporation or charter, minute books and stock certificate books.

Section 5. After a record or other document has been preserved for two (2) years, a photograph thereof on film may be substituted therefor the balance of the required time.

Section 6. This rule shall not be deemed to require a broker-dealer whose transactions are cleared through another broker-dealer to make or keep such records as are ordinarily kept by the clearing broker-dealer.

HOWARD T. SALLEE, Commissioner

ADOPTED: April 11, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:37 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leawood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Banking and Securities
(808 KAR 10:110)

RELATES TO: KRS Chapter 292

PURSUANT TO: KRS 292.500(3), 13.082

SUPERSEDES: SR 330(11)(a)-3

NECESSITY AND FUNCTION: To insure that all investment advisers maintain and preserve sufficient records for the efficient operation of their business and for the protection of their clients.

Section 1. Every registered investment adviser shall maintain and keep current the following books and records:

(1) Ledgers (or other records) reflecting all assets and liabilities, income and expense and capital accounts.

(2) A record showing all payments received, including date of receipt, purpose and from whom received; and all disbursements, including date paid, purpose and to whom made.

(3) A record showing all receivables and payables.

(4) Records showing separately for each client the securities purchased or sold and, to the extent it has been made available to the investment adviser, the date and amount of and price at which such purchases or sales were executed. If available to the investment adviser this record should also show the name of the security broker-dealer who handled the transaction.

(5) Records showing separately all securities bought or sold by the clients of the investment adviser and indicating thereon with proper identification of the individual account, the date, amount, and price at which such securities were purchased or sold by or for each client; or, in the alternative, a record showing all of such securities bought or sold by or for the accounts of all clients of the investment adviser in each month, the total number of shares or principal amount of each security bought or sold and the lowest and highest price at which such purchases or sales were made during the month.

(6) Copies of broker-dealers' confirmations of all transactions placed by the investment adviser for any account, and such other broker-dealers' confirmations as may be supplied to the investment adviser by a client or broker-dealer.

Section 2. Every registered investment adviser shall preserve for a period of not less than three (3) years, the first two (2) years in an easily accessible place:

(1) All check books, bank statements, canceled checks, and cash reconciliations.

(2) All bills or statements (or copies thereof) paid or unpaid, relating to the business of such investment adviser.

(3) Originals of all communications received and copies of all communications sent, pertaining to services rendered or to be rendered to its clients or customers by such investment adviser, other than inter-office or inter-departmental communications.

(4) All powers of attorney and other evidence of the granting of any discretionary authority in any account and copies of resolutions empowering an agent to act on behalf of any client.

(5) All written agreements (or copies thereof) entered into by an investment adviser relating to the business of such investment adviser including agreements with respect to any account, which agreements shall set forth the fees to be charged and the manner of computation and method of payment thereof.

HOWARD T. SALLEE, Commissioner

ADOPTED: April 11, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:37 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leawood Drive, Frankfort, Kentucky 40601.

PART TWO *Mabel W. Robertson of* Administrative Register *kentucky*

© 1975 Legislative Research Commission, All Rights Reserved.
Volume 1, No. 10 (in Two Parts)

Frankfort, Ky. May 1, 1975

Subscription Price: \$24 Annually
Page 1097

PUBLIC PROTECTION AND REGULATION CABINET Department of Banking and Securities (808 KAR 10:120)

RELATES TO: KRS Chapter 292

PURSUANT TO: KRS 292.500(3), 13.082

SUPERSEDES: SR 330(11)(c)-1

NECESSITY AND FUNCTION: To require that broker-dealer registration files are kept current.

Section 1. Every registered broker-dealer and investment adviser shall promptly amend its registration file upon the happenings of any of the following events:

- (1) Any change in the registrant's certifying accountant and a detailed statement of the reasons therefore.
- (2) Any change in the registrant's net capital position which would result in a violation of the minimum net capital requirements or the surety bond requirements.
- (3) Any change in the control of the registrant.
- (4) The institution of any material legal proceeding to which the registrant is a party.
- (5) Any change in the address of the registrant or of any branch offices of the registrant.
- (6) Any material change in the operations of the registrant.

HOWARD T. SALLEE, Commissioner

ADOPTED: April 11, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:37 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leewood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET Department of Banking and Securities (808 KAR 10:130)

RELATES TO: KRS Chapter 292

PURSUANT TO: KRS 292.500(3), 13.082

SUPERSEDES: SR 360(2)(g)-1

NECESSITY AND FUNCTION: To require that any and all changes in registration statements and amendments are clearly brought to the attention of department personnel.

Section 1. All amendments to the federal registration statement filed pursuant to KRS 292.360(2)(g) shall be underlined and otherwise marked where there are changes from the last amendment filed.

HOWARD T. SALLEE, Commissioner

ADOPTED: April 11, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:39 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leewood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET Department of Banking and Securities (808 KAR 10:140)

RELATES TO: KRS Chapter 292

PURSUANT TO: KRS 292.500(3), 13.082

SUPERSEDES: SR 380(7)-1, 2

NECESSITY AND FUNCTION: To insure that registration statements are kept current and that all material events subsequent to the date of registration are reported.

Section 1. An issuer who files a registration statement pursuant to KRS 292.370 shall keep the registration statement current by filing the following:

- (1) A balance sheet and an income statement of the issuer quarterly, except that no such statement need be filed for the quarter which ends the issuer's fiscal year. Such information shall be prepared in accordance with generally accepted accounting principles applied on a consistent basis, but may be unaudited.
- (2) Certified financial statements of the issuer for each fiscal year subsequent to registration. Such statements shall be prepared in the same manner and shall contain the same information as would be required for initial registration.
- (3) A verified statement setting forth any material change in the operation of the issuer.

Section 2. Material changes in the operation of the issuer reportable pursuant to subsection (3) of Section 1 above shall include but not be limited to:

- (1) Changes in control of the issuer;
- (2) Acquisition or disposition of a significant amount of the issuer's assets otherwise than in the ordinary course of business;
- (3) Institution of legal proceedings other than routine litigation incidental to the ordinary conduct of the issuer's business;
- (4) Modification of the relative rights of the holders of different classes of securities;
- (5) Changes in assets maintained as security for outstanding securities;
- (6) Any default in the payment of interest, principal, or sinking fund installments relative to any senior security;
- (7) Any increase or decrease in the amount of outstanding securities of any class if such increase or decrease is not otherwise reported to the division;
- (8) Any increase in amount of options, or warrants;
- (9) Any revaluation of assets or restatement of capital share account;
- (10) Any matter submitted to a vote of security holders;
- (11) Any change in the issuers certifying accountant and a statement of the reasons therefore.

Section 3. Information required under subsection (1) of Section 1 above shall be filed with the director no later than thirty (30) days following the end of the quarter. Information required under subsection (2) of Section 1 above shall be filed with the director no later than 120 days following the end of the fiscal year, and information required under subsection (3) of Section 1 above shall be filed no later than ten (10) days following the end of the month in which the material change occurred.

Section 4. Any prospectus or offering circular used or proposed to be used in connection with the sale of any security registered pursuant to KRS 292.370 shall be promptly amended to reflect the most recent annual financial statements of the issuer and any material changes reported under subsection (3) of Section 1 above.

Section 5. Quarterly reports forwarded to the department pursuant to subsection (1), Section 1 above shall not be deemed to be "filed" for purposes of KRS 292.440.

HOWARD T. SALLEE, Commissioner

ADOPTED: April 11, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 14, 1975 at 11:41 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Banking and Securities, 911 Leewood Drive, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET Kentucky Harness Racing Commission (811 KAR 1:005)

RELATES TO: KRS 230.630(3)

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-6 (Rule 4)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to define the terms used in the commission's rules and regulations.

Section 1. Added Money Early Closing Event. An event closing in the same year in which it is to be contested in which all entrance and declaration fees received are added to the purse.

Section 2. Appeal. A request for the commission to investigate, consider, and review any decisions or rulings of judges or officials of a meeting. The appeal may deal with placings, penalties, interpretations of the rules, or other questions dealing with the conduct of races.

Section 3. Claiming Race. One in which any horse starting therein may be claimed for a designated amount in conformance with the rules.

Section 4. Classified Race. A race regardless of the eligibility of horses, entries being selected on the basis of ability or performance.

Section 5. Commission. Shall at all times mean the Kentucky Harness Racing Commission.

Section 6. Conditioned Race. An overnight event to which eligibility is determined according to specified qualifications. Such qualifications may be based upon, among other things:

- (1) Horses' money winnings in a specified number of previous races or during a specified previous time.
- (2) A horse's finishing position in a specified number of previous races or during a specified period of time.
- (3) Age.
- (4) Sex.
- (5) Number of starts during a specified period of time.
- (6) Special qualifications for foreign horses that do not have a representative number of starts in the United States or Canada.
- (7) Or any one or more combinations of the qualifications herein listed.
- (8) Use of records or time bars as a condition is prohibited.

Section 7. Dash. A race decided in a single trial. Dashes may be given in a series of two (2) or three (3) governed by one (1) entry fee for the series, in which event a horse must start in all dashes. Positions may be drawn for each dash. The number of premiums awarded shall not exceed the number of starters in the dash.

Section 8. Declarations. Declarations shall be taken not more than three (3) days in advance for all races except those for which qualifying dashes are provided.

Section 9. Disqualification. It shall be construed to mean that the person disqualified is debarred from acting as an official or from starting or driving a horse in a race, or in the case of a disqualified horse, it shall not be allowed to start.

Section 10. Early Closing Race. A race for a definite amount to which entries close at least six (6) weeks preceding the race. The entrance fee may be on the installment plan or otherwise, and all payments are forfeits.

Section 11. Elimination Heats. Heats of a race split according to 811 KAR 1:050, Sections 2 and 3, to qualify the contestants for a final heat.

Section 12. Entry. Two (2) or more horses starting in a race when owned or trained by the same person, or trained in the same stable or by the same management.

Section 13. Expulsion. Whenever the penalty of expulsion is prescribed in these rules, it shall be construed to mean unconditional exclusion and disqualification from any participation, either directly or indirectly, in the privileges and uses of the course and grounds of a track licensee.

Section 14. Extended Pari-Mutuel Meetings. An extended pari-mutuel meeting is a meeting or meetings, at which no agricultural fair is in progress, with an annual total of more than six (6) days duration with pari-mutuel wagering.

Section 15. Futurity. A stake in which the dam of the competing animal is nominated either when in foal or during the year of foaling.

Section 16. Green Horse. One that has never trotted or paced in a race or against time, either double or single.

Section 17. Guaranteed Stake. Same as a stake, with a guarantee by the party opening it that the sum shall not be less than the amount named.

Section 18. Handicap. A race in which performance, sex or distance allowance is made. Post positions for a handicap may be assigned by the racing secretary. Post positions in a handicap claiming race may be determined by claiming price.

Section 19. Heat. A single trial in a race, two (2) in three (3), or three (3) heat plan.

Section 20. In Harness. When a race is made to go "in harness" it shall be construed to mean that the performance shall be to a sulky.

Section 21. Late Closing Race. A race for a fixed amount to which entries close less than six (6) weeks and more than three (3) days before the race is to be contested.

Section 22. Length of Race and Number of Heats. Races or dashes shall be given at a stated distance in units not shorter than a sixteenth (1/16) of a mile. The length of a race and the number of heats shall be stated in the conditions. If no distance or number of heats are specified, all races shall be a single mile dash except at fairs and meetings of a duration of six (6) days or less, where the race will be conducted in two (2) dashes at one (1) mile distance.

Section 23. Licensee; Association. The term "licensee" means an individual, firm, association, partnership, corporation, trustee or legal representative, licensed to conduct a harness race meeting under the provisions of the Kentucky Revised Statutes.

Section 24. Maiden. A stallion, mare or gelding that has never won a heat or race at the gait at which it is entered to

start and for which a purse is offered. Races or purse money awarded to a horse after the "official sign" has been posted shall not be considered a winning performance or affect status as a maiden.

Section 25. Match Race. A race which has been arranged and the conditions thereof agreed upon between the contestants.

Section 26. Matinee Race. A race with no entrance fee and where the premiums, if any, are other than money.

Section 27. Overnight Event. A race for which entries close not more than three (3) days (omitting Sundays) or less before such race is to be contested. In the absence of conditions or notice to the contrary, all entries in overnight events must close not later than 12 noon the day preceding the race.

Section 28. Protest. An objection, properly sworn to, charging that a horse is ineligible to a race, alleging improper entry or declaration or citing any act of an owner, driver or official prohibited by the rules, and which, if true, should exclude the horse or driver from the race.

Section 29. Record. The fastest time made by a horse in a heat or dash which he won. A Standard Record is a record of 2:20 or faster for two (2) year olds and 2:15 or faster for all other ages.

Section 30. Stake. A race which will be contested in a year subsequent to its closing in which the money given by the track conducting the same is added to the money contributed by the nominators, all of which except deductions for the cost of promotion, breeders or nominators awards belongs to the winner or winners. In any event, except as provided in 811 KAR 1:040, Section 6, all of the money contributed by the nominators must be paid to the winner or winners.

Section 31. Two in Three. In a two (2) in three (3) race a horse must win two (2) heats to be entitled to first money.

Section 32. Two Year Olds. No two (2) year old shall be permitted to start in a dash or heat exceeding one (1) mile in distance, and no two (2) year old shall be permitted to race in more than two (2) heats or dashes in any single day. Starting any two (2) year old in violation of this rule shall subject the track to a fine of not less than twenty-five dollars (\$25) and the winnings of such two (2) year old shall be declared unlawful.

Section 33. Walk Over. When only horses in the same interest start, it constitutes a walk over. In a "stake race" a "walk over" is entitled to all the stake money and forfeits unless otherwise provided in the published conditions. To claim the purse the entry must start and go once over the course.

Section 34. Winner. The horse, whose nose reaches the wire first. If there is a dead heat for first, both horses shall be considered winners. Where two (2) horses are tied in the summary, the winner of the longer dash or heat shall be entitled to the trophy. Where the dashes or heats are of the same distance and the horses are tied in the summary the winner of the faster dash or heat shall be entitled to the trophy. Where the dashes or heats are of the same distance and the horses are tied in the summary and the time, both horses shall be considered winners.

Section 35. Wire. The wire is a real or imaginary line from the center of the judge's stand to a point immediately across, and at right angles to the track.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. ROGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:34 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:010)

RELATES TO: KRS 230.630(1), (3), 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 5)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate the operation of tracks.

Section 1. During the course of its race meetings, each licensed harness racing association shall display the license issued by the commission for the current year.

Section 2. Hippodroming Ban. All races shall be bona fide contests with the winner receiving the largest share of the purse and the balance of the purse distribution made according to the finish. No hippodroming or other arrangement for equal distribution of the purse money among the contestants is per-

mitted. Violation of this rule will subject the track, officials in charge, and the owners and drivers to fine, suspension or expulsion.

Section 3. Default in Payment of Purses. Any track that defaults in the payment of a premium that has been raced for, shall, after a hearing before the commission, stand suspended, together with its officers. No deduction, voluntary or involuntary, may be made from any purse or stake or futurity except that if the conditions specifically so provide, reasonable deductions may be made for clerical printing, postage and surety bond expenses specifically related to such purse, stake or futurity.

Section 4. Time to File Claims for Unpaid Purses. Unless claims for unpaid premiums shall be filed with this commission within sixty (60) days after the date the race is contested, the Kentucky Harness Racing Commission may release any performance bond it may hold.

Section 5. If at a meeting of a licensed track, a race is contested which has been promoted by another party or parties, and the promoters thereof default in the payment of the amount raced for, the same liability shall attach to the licensed track as if the race had been offered by such licensed track.

Section 6. Minimum Advertised Purse or Schedule of Purses. When any track advertises minimum purses and conducts any race for less than said advertised minimum, such track shall be fined the difference between the advertised minimum and the lesser purse for which such race was conducted and the proceeds of such fine may be distributed among the money winning horses in proportion to their respective winnings.

Section 7. Removal of Horses From the Grounds. No horse shall be ordered off the grounds without at least seventy-two (72) hours notice (excluding Sunday) to the person in charge of the horse. Notice of less than seventy-two (72) hours need not be complied with. Failure to remove said horses shall subject the owner and/or the trainer to suspension, revocation and/or a fine.

Section 8. All conditions contained in stall applications shall be submitted to the commission for approval prior to issuance or publication.

Section 9. Driver Awards. Except as herein stated, no track shall advertise to pay or pay any awards other than to the owners, nominators, or breeders of money winning horses. Awards may be made to drivers of horses breaking or equaling track or world records, or to leading drivers at meetings.

Section 10. Paddock Rules. Every extended pari-mutuel track shall: (1) Provide a paddock or receiving barn.

(2) The paddock or receiving barn must be completely enclosed with a man-tight fence and each opening through said fence shall be policed by a person or persons licensed by this commission so as to exclude unauthorized personnel therefrom. A daily record of all persons entering or leaving the paddock from one (1) hour prior to post time until all races of that program have been completed shall be maintained on forms approved by the commission.

(3) Horses must be in the paddock at the time prescribed by the presiding judge, but in any event at least one (1) hour prior to post time of the race in which the horse is to compete. Except for warm-up trips, no horse shall leave the paddock until called to the post.

(4) Persons entitled to admission to the paddock must be at least sixteen (16) years old and includes:

- (a) Owners of horses competing on the date of the race.
- (b) Trainers of horses competing on the date of the race.
- (c) Drivers of horses competing on the date of the race.
- (d) Grooms and caretakers of horses competing on the date of the race.
- (e) Officials whose duties require their presence in the paddock or receiving barn.
- (f) Officials of the Kentucky Harness Racing Commission.
- (g) The designated representative of the horsemen.

(5) No driver, trainer, groom or caretaker, once admitted to the paddock or receiving barn, shall leave the same other than to warm up said horse until such race, or races, for which he was admitted is contested.

(6) No person except an owner, who has another horse racing in a later race, or an official, shall return to the paddock until all races of that program shall have been completed.

(7) All persons, except drivers in the driver's stand, must leave the paddock as soon as their duties are completed for the race or races for which they were admitted.

(8) All members of a registered stable, other than the driver, shall be entitled to admission to the paddock on any one racing day.

(9) During racing hours each track shall provide the services of a farrier within the paddock.

(10) During racing hours each track shall provide suitable extra equipment as may be necessary for the conduct of racing without unnecessary delay.

(11) Each track shall provide adequate water fountains, comfort stations and wash rooms in the paddock for both men and women.

(12) Each track shall see that the provisions of this rule are rigidly enforced and a fine not to exceed \$500 for each violation of this rule may be imposed by the commission after a hearing.

Section 11. Photo Finish, Film Patrol, Head Numbers, Starting Gate. At all tracks where pari-mutuel wagering is allowed, a photo finish, film patrol, head numbers, saddle pads, and starting gate must be used. Whenever the judges use a photo to determine the order of finish, it shall be posted for public inspection. Photo finish equipment shall not be acceptable unless a spinner or target is used therewith.

Section 12. Driver Insurance. Each track shall prepare and prominently display, in the race secretary's office, a statement giving the name of the company with which they carry driver insurance.

Section 13. Supervision of Meeting. Although track licensees have the obligation of general supervision of their meeting, interference with the proper performance of duties of any official is hereby prohibited.

Section 14. Every extended pari-mutuel track shall be equipped with a breath analyzer device and all drivers, judges, starters and marshals shall be required to submit to a breath analyzer test at the discretion of the deputy commissioner or his assistant. In the case of drivers, if the results of such tests show a reading of more than .05 percent of alcohol in the blood, such driver shall not be permitted to drive and an investigation will be started to determine if there has been a violation of 811 KAR 1:070, Section 8(3). In the case of the judges, starters and marshals, if the result of a breath analyzer test results in a reading of more than .05 percent of alcohol in the blood, that individual shall be relieved of his duties for that program and a report shall be made to the Kentucky Harness Racing Commission for appropriate action.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:34 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 309 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:015)

RELATES TO: KRS 230.630(1), (3); 230.640(2); 230.660; 230.700; 230.720

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 6)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to set out the required officials, their functions and duties.

Section 1. Officials Required. In every race, there shall be a presiding judge, two (2) associate judges and not less than two (2) patrol judges, a racing secretary, starter, clerk of the course and three (3) timers, or one (1) timer and an approved electric timing device. In the event a patrol car is used, one (1) associate judge may ride in the car, in which case the patrol judges may be eliminated.

Section 2. All officials must be licensed and approved by the commission.

Section 3. Any track permitting an unlicensed person to officiate when a license is required shall be fined not exceeding \$250 for each day such unlicensed person officiates. Any person officiating without being licensed shall be fined not exceeding \$250 for each day he acts as such an official.

Section 4. Officials at Extended Meetings. No presiding judge, associate judge, starter, race secretary, barrier judge, patrol judge, clerk of the course or paddock judge shall be qualified to serve as such at an extended pari-mutuel meeting without a valid commission license. Holders of pari-mutuel licenses are authorized to officiate at all meetings. No official acting as judge at a pari-mutuel meeting shall serve as race secretary or clerk of the course at such meeting. No licensed official shall be qualified to act as such at any pari-mutuel meeting where he is the owner or otherwise interested in the ownership of any horse participating at such meeting. Any refusal to grant a license to a person may be reviewed by the Kentucky Harness Racing Commission.

Section 5. Disqualification to Act as Official. A person under suspension, expulsion or other disqualification, or who has any interest in or any bet on a race or has an interest in any of the horses engaged therein, is disqualified from acting in any official capacity in that race. In the event of such disqualification the management shall be notified by the disqualified person and shall appoint a substitute. Any person who violates this restriction shall be fined, suspended or expelled.

Section 6. Suspension or Revocation of Official's License. An official may be fined, suspended or removed at any time for incompetence, failure to follow or enforce the rules, or any conduct detrimental to the sport including drinking within

four (4) hours prior to the time he starts work as an official.

Section 7. Ban on Owning or Dealing in Horses. No employee of any track whose duties include the classification of horses shall directly or indirectly be the owner of any horse racing at such meeting, nor shall he participate financially directly or indirectly in the purchase or sale of any horse racing at such meeting. Any person violating this rule shall be suspended.

Section 8. Location of Judge's Stand. The judge's stand shall be so located and constructed as to afford to the officials an unobstructed view of the entire track and no obstruction shall be permitted upon the track, or the centerfield which shall obscure the officials' vision of any portion of the track during the race. Any violation of this section shall subject the track to a fine not exceeding \$500 and immediate suspension.

Section 9. Judges' Stand Occupants. None but the judges, the clerk of the course, the secretary, starter and timers, official announcer, runner that posts the photo finish, and officials of the commission, shall be allowed in the judges' stand from fifteen (15) minutes before the first race until fifteen (15) minutes after the last race unless authorized by the commission. Any track violating this rule shall be fined not to exceed \$300.

Section 10. Improper Acts by an Official. If any person acting as judge or an official shall be guilty of using insulting language to an owner, driver, or other person, or be guilty of other improper conduct, he shall be fined not exceeding \$500, or be suspended or expelled.

Section 11. Presiding Judge. The presiding judge shall: (1) Have supervision to see that the rules of this commission are followed over the following officials:

- (a) Associate Judges,
- (b) Patrol Judges,
- (c) Starters,
- (d) Paddock Judge,
- (e) Finish Wire Judge,
- (f) Clerk of the Course,
- (g) Timers,
- (h) Charters,
- (i) Racing Secretary,
- (j) Official Announcer, and
- (k) Any other licensed personnel directly responsible for conducting the racing program.

(2) Notify owners, trainers, drivers and grooms of penalties imposed.

(3) Report in writing to the commission, violations of the rules by a track, its officers or race officials, giving detailed information thereof.

(4) Make such other reports as required by the commission.

(5) Sign each sheet of the judges' book, verifying the correctness of the record.

(6) Be responsible for the maintenance of the records of the meeting and the forwarding thereof to the commission.

(7) Failure of the presiding judge to see that the rules of the commission are complied with may be grounds for suspension and may be grounds for denial of a license for the subsequent year.

Section 12. Authority and Procedure of Judges. The judges shall have the authority while presiding to: (1) Inflict fines and penalties, as prescribed by these rules.

(2) Determine all questions of fact relating to the race.

(3) Decide any differences between parties to the race, or any contingent matter which shall arise, such as are not otherwise provided for in these rules.

(4) Declare pools and bets "off" in case of fraud, no appeal to be allowed from their decision in that respect. All pools and bets follow the decision of the judges. Such a decision in respect to pools and bets shall be made at the conclusion of the race upon the observation of the judges and upon such facts as an immediate investigation shall develop. A reversal or change of decision after the official placing at the conclusion of the heat or dash shall not affect the distribution of betting pools made upon such official placing. When pools and bets are declared off for fraud, the guilty parties shall be fined, suspended or expelled.

(5) Control the horses, drivers, and assistants and punish by a fine not exceeding \$100 or by suspension or expulsion, any such person who shall fail to obey their orders or the rules. In no case shall there be any compromise or change on the part of the judges or members of punishment prescribed in the rules, but the same shall be strictly enforced. Tracks shall not remove or modify any fine imposed by the judges of a race, review any order of suspension, expulsion, or interfere with the judges performing their duties.

(6) Examine under oath all parties connected with a race as to any wrong or complaint. Any person required to appear before the judges for a hearing shall be penalized as provided above in subsection (5).

(7) Consider complaints of foul from the patrols, owners, trainers or drivers in the race and no other.

(8) Make such decision in the public interest required by extraordinary circumstances not covered by rules and regulations of the commission.

Section 13. Judges' Duties. It shall be the duty of the judges to: (1) Exclude from the race any horse that in their

opinion is improperly equipped, dangerous or unfit to race, which shall include sick, weak and extremely lame horses. No horse shall race with a tube in its throat. No horse shall race unless it has unimpaired vision in at least one (1) eye and no horse infected with Equine Infectious Anemia or a carrier thereof, shall race. Horses that are bleeders may race under recognized medication for said bleeding condition provided that said condition and the type of medication is certified to the presiding judge by a licensed veterinarian prior to the race and said horse is approved for racing by the presiding judge. In the event the horse bleeds while being raced under medication, said horse shall not again race with or without medication until it is cured and approved for racing by the presiding judge.

(2) Investigate any apparent or possible interference, or other violation of 811 KAR 1:075, Section 1, whether or not complaint has been made by the driver.

(3) Investigate any act of cruelty seen by them or reported to them by any member towards a race horse during a meeting at which they officiate. If the judges find that such an act has been committed, they shall suspend or fine the offending member not to exceed \$500 and submit a written report within ten (10) days of their findings and action to the commission. The chairman of the commission or the designated representative of the commission shall have all the authority conferred upon the judges by this section, and in addition may order an investigation and a hearing and impose a penalty for any act of cruelty or neglect of a horse committed by any member whether on or off the premises of any race track.

(4) Immediately thereafter or on the day of the race conduct an investigation of any accidents to determine the cause thereof, and the judges shall make all accidents a matter of record in the judges' book and completely fill out an accident report. At the time of the accident, the inquiry sign shall be posted and the race shall not be declared official until the presiding judge has conferred with the patrol judge.

(5) Observe closely performance of the drivers and the horses to ascertain if there are any violations of 811 KAR 1:075, particularly interference, helping, or inconsistent racing and exhaust all means possible to safeguard the contestants and the public.

(6) Grant a hearing at a designated time before a penalty may be imposed upon any party. All three (3) judges should be present if possible, and at least the presiding judge and one (1) associate judge must be present at all judges' hearings. The judges may inflict the penalties prescribed by rules and regulations of the commission.

(a) All penalty notices will carry the exact reason why the penalty has been imposed together with a summary of the rule or regulation violated. All penalties imposed on any driver may be recorded on the reverse side of his driver's license by the presiding judge.

(b) In the event the judges believe that a person has committed a rule or regulation violation and has left the grounds and they are unable to contact him, and hold a hearing thereon, they may make an investigation and send a detailed written report to the commission. The commission may impose a penalty not to exceed ten (10) days without a hearing based upon the report of the judges. No penalty in excess of ten (10) days shall be imposed before a hearing is granted.

(c) It shall be the duty of the judges to submit in writing, a complete list of all witnesses questioned by them at any hearing, which list of witnesses, along with the testimony of such witnesses, shall be forwarded to the commission.

(d) The testimony of all witnesses questioned by the judges shall be recorded by one of the following methods: written, signed statements, tape recorders or court reporter's transcript.

(e) No decision shall be made by the judges in such cases until all of the witnesses called by the judges and the person so required to appear before the judges have given their testimony. Any person charged with a rule or regulation violation shall be given at least until 12:00 noon of the following day to prepare his defense if he so requests.

(7) It shall be the duty of the judges to declare a dash or heat of a race no contest in the event the track is thrown into darkness during the progress of a race by failure of electricity.

Section 14. Judges' Procedure. It shall be the procedure of the judges to: (1) Be in the stand fifteen (15) minutes before the first race and remain in the stand for ten (10) minutes after the last race, and at all times when the horses are upon the track.

(2) Observe the preliminary warming up of horses and scoring, noting behavior of horses, lameness, equipment, conduct of the drivers, changes in odds at pari-mutuel meetings, and any unusual incidents pertaining to horses or drivers participating in races.

(3) Have the bell rung or give other notice at least ten (10) minutes before the race or heat. Any driver failing to obey this summons may be punished by a fine not exceeding \$100 and his horse may be ruled out by the judges and considered drawn.

(4) Designate one of their members to lock the pari-mutuel machines immediately upon the horses reaching the official starting point. The presiding judge shall designate the post time for each race and the horses shall be called at such time as to preclude excessive delay after the completion of two (2) scores.

(5) Be in communication with the patrol judges, by use of patrol phones, from the time the starter picks up the horses until the finish of the race. Any violation or near violation of the rules or regulations shall be reported by the patrol judge witnessing the incident and a written record made of same. At least one (1) judge shall observe the drivers throughout the stretch specifically noting changing course, interference, improper use of whips, breaks, and failure to contest the race to the finish.

(6) Post the objection sign, or inquiry sign, on the odds board in the case of a complaint or possible rule or regulation violation, and immediately notify the announcer of the objection and the horse or horses involved. As soon as the judges have made a decision, the objection sign shall be removed, the correct placing displayed, and the "official" sign flashed. In all instances the judges shall post the order of finish and the "official" sign as soon as they have made their decision.

(7) Display the photo sign if the order of finish among the contending horses is less than half-length or a contending horse is on a break at the finish. After the photo has been examined and a decision made, a copy or copies shall be made, checked by the presiding judge, and posted for public inspection.

Section 15. Patrol Judges. At the discretion of the judges, patrol may be appointed by the track but such patrols shall be approved by the presiding judge and work under his direction. At extended pari-mutuel meetings and at other meetings conducting one (1) or more races with a purse value of \$5,000 or over, at least two (2) patrol judges shall be employed. It shall be their duty to phone or repair to the judge's stand and report all fouls and improper conduct. The result of a heat or dash shall not be announced until sufficient time has elapsed to receive the reports of the patrols. Where there is a patrol car, only one (1) patrol judge shall be required.

Section 16. Incapacitated Official. If any licensed official is absent or incapacitated the track management, subject to commission approval, must appoint a substitute at such meeting. Notice of such temporary appointment shall be given immediately to the office of this commission. If such official acts for more than three (3) days, he shall apply for a commission license in that capacity. This power may only be used in cases of unavoidable emergencies.

Section 17. Starter Appointment. Starters shall be designated by the track, subject to the approval of this commission. Such officials must be licensed as starters by this commission.

Section 18. Starter; Authority. The starter shall be in the stand or starting gate fifteen (15) minutes before the first race. He shall have control over the horses and authority to assess fines and/or suspend drivers for any violation of the rules and regulations from the formation of the parade until the word "go" is given. He may assist in placing the horses when requested by the judges to do so. He shall notify the judges and the drivers of penalties imposed by him. His services shall be paid for by the track employing him. An assistant starter must be available at all times.

Section 19. Clerk-Duties; Clerk of the Course. The clerk of the course shall:

- (1) At request of judges assist in drawing positions.
- (2) Keep the judges' book and record therein:
 - (a) All horses entered and their eligibility certificate numbers.
 - (b) Names of owners and drivers and drivers' license numbers.
 - (c) The charted lines at pari-mutuel meetings. At all race meetings, the money won by the horse at that track.
 - (d) Note drawn or ruled out horses.
 - (e) Record time in minutes, seconds, and fifths of seconds.
 - (f) Check eligibility certificates before the race, and after the race shall enter all information provided for thereon, including the horse's position in the race if it was charted.
 - (g) Verifying the correctness of the judges' book including race time, placing and money winnings, reasons for disqualification, if any, and see that the book is properly signed.
 - (h) Forward the judges' book, charts and marked programs to this commission from all extended pari-mutuel meetings the day following each racing day.
 - (i) Notify owners and drivers of penalties assessed by the officials.
- (3) Upon request may assist judges in placing horses.
- (4) After the race, return the eligibility certificate to owner of the horse or his representative when requested.
- (5) Failure to comply with any part of this rule and make the above listed entries legible, clear and accurate, may subject either the clerk or the track, or both, to a fine of not to exceed \$100 for each violation.

Section 20. Timers. (1) At each race there shall be three (3) timers in the judges' or timers' stand except when an electric timing device approved by the commission is used, in which event there shall be one (1) timer. The chief timer shall sign the judges' book for each race verifying the correctness of the record. All time shall be announced and

recorded in fifths of seconds. All tracks licensed by the commission shall use an approved electronic or electric timing device.

(2) The timers shall be in the stand fifteen (15) minutes before the first heat or dash is to be contested. They shall start their watches when the first horse leaves the point from which the distance of the race is measured. The time of the leading horse at the quarter, half, three-quarters, and the finish shall be taken. If odd distances are raced, the fractions shall be noted accordingly.

Section 21. Paddock Judge. Under the direction and supervision of the presiding judge, the paddock judge will have complete charge of all paddock activities as outlined in 811 KAR 1:010, Section 10. The paddock judge shall be subject to the approval of this commission. The paddock judge is responsible for:

- (1) Getting the fields on the track for post parades in accordance with the schedule given to him by the presiding judge.
- (2) Inspection of horses for changes in equipment, broken or faulty equipment, head numbers or saddle pads.
- (3) Supervision of paddock gate men.
- (4) Proper check in and check out of horses and drivers. Check the identification of all horses coming into the paddock including the tattoo number.
- (5) Director of the activities of the paddock farrier.
- (6) The paddock judge will immediately notify the presiding judge of anything that could in any way change, delay or otherwise affect the racing program. The paddock judge will report any cruelty to any horse that he observes to the presiding judge.
- (7) The paddock judge will see that only properly authorized persons are permitted in the paddock and any violation of this rule may result in a fine, suspension or expulsion.
- (8) Notify the presiding judge of any change of racing equipment or shoes before the race.
- (9) Inspect and supervise the maintenance of emergency equipment kept in the paddock.
- (10) Notify judges of all trainers and grooms who leave the paddock in an emergency.

Section 22. Program Director. Each extended pari-mutuel track shall designate a program director. Such program director shall be subject to the approval of this commission.

- (1) It shall be the responsibility of the program director to furnish complete and accurate past performance information.
- (2) No person shall be permitted to act as a program director unless he is capable of furnishing accurate and complete past performance information to the general public.

Section 23. Duties of Patrol Judges. (1) The patrol judges shall observe all activity on the race track in their area at all times during the racing program. They shall immediately report to the presiding judge:

- (a) Any action on the track which could improperly affect the result of a race.
 - (b) Every violation of the racing rules and regulations.
 - (c) Every violation of the rules of decorum.
 - (d) The lameness or unfitness of any horse.
 - (e) Any lack of proper racing equipment.
- (2) The patrol judges shall, furthermore:
- (a) Be in constant communication with the judges during the course of every race and shall immediately advise the judges of every rule violation; improper act or unusual happening which occurs at their station.
 - (b) Submit individual daily reports of their observations of the racing to the presiding judge.
 - (c) When directed by the presiding judge shall attend hearings or inquiries on violations and testify thereat under oath.

Section 24. Licensed Charter. (1) At all extended pari-mutuel meetings and grand circuit meetings, the charting of races is mandatory and the track shall employ a licensed charter to fulfill the requirements of this section.

(2) The charter shall be subject to the approval of this commission.

Section 25. All equipment changes shall be cleared through the paddock judge who will call the judges for the necessary permission.

Section 26. Duties of the Race Secretary. The race secretary of each association must be licensed and approved by the commission and it shall be his duty:

- (1) To receive and keep safe the eligibility certificates of all horses competing at the race track or stabled on grounds owned or cared for by any association and to return same to the owner of a horse or his representative upon their departure from the grounds.
- (2) To be familiar with the age, class, and competitive ability of all horses racing at the track.
- (3) To classify and reclassify horses in accordance with the rules.
- (4) To list horses in the categories for which they qualify and to cause such lists to be kept current and to be properly displayed in the room in which the declaration box is located for examination by horsemen and others.
- (5) To provide for the listing of horses in the daily program; to examine all entry blanks and declarations to verify all information set forth therein; to select the horses to start and the Also Eligible horses from the declarations in

accordance with the rules governing these functions.

(6) To examine nominations and declarations in Early Closing Events, Late Closing and Stake Events, to verify the eligibility of all declarations and nominations and to compile lists thereof for publication.

Section 27. Commission Supervisors of Pari-Mutuel Betting.

(1) The commission shall employ supervisors with accounting experience who shall be responsible for ascertaining whether the proper amounts have been paid from pari-mutuel pools to the betting public, to the association, and to the commonwealth, by checking, auditing, and filing with the commission verified reports accounting for daily pari-mutuel handle distribution and attendance for each preceding racing day and a final report at the conclusion of each race meeting in the commonwealth.

(2) Such daily reports shall show:

(a) For each race: number of horses started, number of betting interests, total money wagered in each betting pool, and refunds, if any for each day. The sum of all betting pools, and total refunds also, total pari-mutuel handle for the comparable racing day for the preceding year, and cumulative total and daily average pari-mutuel handle for the race meeting.

(b) Amount of state pari-mutuel tax due; taxable admissions; tax exempt admissions, total admissions; temperature, weather and track conditions, post time of first race; program purses, distance and conditions of each race; any minus pools resulting with explanation.

(3) The commission supervisors of pari-mutuel betting shall submit to the commission on or before thirty (30) days after the close of each race meeting a final verified report giving in summary form a recapitulation of the daily reports for each race meeting and such other information as the commission may require.

(4) The commission supervisors of pari-mutuel betting or their representative shall have access to all association books, records, and pari-mutuel equipment for checking accuracy of same.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:35 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:020)

RELATES TO: KRS 230.630(1), (2), (3); 230.640(2)

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rules 2 and 7)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to provide for the registration, ownership, identification and information concerning horses.

Section 1. Registration. All matters relating to registration of standardbred horses shall be governed by the rules of the United States Trotting Association.

Section 2. Bona Fide Owner or Lessee. Horses not under lease must race in the name of the bona fide owner. Horses under lease must race in the name of the lessee and a copy of the lease must be recorded with the Kentucky Harness Racing Commission. Persons violating this rule may be fined, suspended or expelled.

Section 3. Program Information. (1) A printed program shall be available to the public at all meetings where purses are raced for. All programs shall furnish:

- (a) Horse's name and sex.
- (b) Color and age.
- (c) Sire and dam.
- (d) Owner's name.
- (e) Driver's name and colors.

(2) At extended pari-mutuel meetings the following additional information shall be furnished:

- (a) In claiming races the price for which the horse is entered to be claimed must be indicated.
- (b) At least the last six (6) performance and accurate chart lines. An accurate chart line shall include: date of race, place, size of track if other than a half-mile track, symbol for free-legged pacers, track condition, type of race, distance, the fractional times of the leading horse including race time, post position, position at one quarter (1/4), one half (1/2), three quarters (3/4), stretch with lengths behind leader, finish with lengths behind leader, individual time of the horse, closing dollar odds, name of the driver, names of the horses placed first, second and third by the judges. The standard symbols for breaks and park-outs shall be used, where applicable.
- (c) Indicate drivers racing with a provisional license.
- (d) Indicate pacers that are racing without hoppers.

(e) Summary of starts in purse races, earnings, and best win time for current and preceding year. A horse's best win time may be earned in either a purse or nonpurse race.

(f) The name of the trainer.

(g) The consolidated line shall carry date, place, time, driver, finish, track condition and distance, if race is not at one (1) mile.

Section 4. Failure to Furnish Reliable Program Information. May subject the track and/or program director to a fine not to exceed \$500 and the track and/or the program director may be suspended until arrangements are made to provide reliable program information.

Section 5. Inaccurate Information. Owners, drivers, or others found guilty of providing inaccurate information on a horse's performance, or of attempting to have misleading information given on a program may be fined, suspended or expelled.

Section 6. Check on Identity of Horse. Any track official, member of the Kentucky Harness Racing Commission or their agent, or owner, trainer or driver of any horse declared in to a race wherein the question arises may call for information concerning the identity and eligibility of any horse on the grounds of a track, and may demand an opportunity to examine such horse with a view to establishing his identity or eligibility. If the owner or party controlling such horse shall refuse to afford such information, or to allow such examination, or fail to give satisfactory identification, the horse and the said owner or party may be barred and suspended or expelled.

Section 7. Frivolous Demand for Identification. Any person demanding the identification of a horse without cause or merely with the intent to embarrass a race, shall be punished by a fine not exceeding \$100 or by suspension or expulsion.

Section 8. Tattoo Requirements. No horse will be permitted to start at an extended pari-mutuel meeting that has not been tattooed unless the permission of the presiding judge is obtained and arrangements are made to have the horse tattooed. Any person refusing to allow a horse to be tattooed may be fined, suspended or expelled.

Section 9. False Chart Lines. Any official, clerk, or person who enters a chart line on an eligibility certificate when the race has not been charted by a licensed charter may be fined, suspended or expelled.

Section 10. Withholding Registration or Eligibility Certificate. Any person withholding an eligibility or registration certificate from the owner or lessee of a horse, after proper demand has been made for the return thereof, may be suspended until such time as the certificate is returned.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:35 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:025)

RELATES TO: KRS 230.630(1), (3); 230.640; 230.680; 230.700

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 8)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to provide for the licensing of racing stables under the stable name and disclosure of ownership.

Section 1. Racing, farm, corporate, or stable names may be used by owners or lessees if registered with the Kentucky Harness Racing Commission giving the names of all persons who are interested in the stable or will use the name. All persons listed in a registered stable and all stockholders of a corporation racing a horse must have a state license. All owners and persons listed in a registered stable, whether incorporated or not, shall be liable for entry fees and penalties against the registered stable. In the event one of the owners or persons listed in a registered stable is suspended, all the horses shall be included.

Section 2. Corporate Ownership. If a horse is owned by a corporation, all officers, directors and persons owning any of the capital stock, or beneficial interest therein, shall be disclosed to, and licensed by the commission.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:36 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
 (811 KAR 1:030)

RELATES TO: KRS 230.630(1), (3)
PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)
SUPERSEDES: KTC 1-8 (Rule 9)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to set out the eligibility and classification of horses for races and medical tests required.

Section 1. Eligibility Certificate. (1) There shall be an automatic fine of ten dollars (\$10) on the owner if a horse is declared in without first possessing a current U.S.T.A. or validated C.T.A. eligibility certificate at the gait the horse is declared to race. The track shall automatically be fined five dollars (\$5) for accepting a declaration without an eligibility certificate for the proper gait and a track may refuse to accept any declaration without the eligibility certificate for the proper gait first being presented. Telegraphic or telephone declarations may be sent and accepted without penalty, provided the declarer furnished adequate program information but the eligibility certificate must be presented when the horse arrives at the track before he races, or the above fines will be imposed.

(2) The race secretary shall check each certificate and certify to the judges as to the eligibility of all the horses.

Section 2. Leased Horses. Any horse under lease must race in the name of the lessee and a copy of such lease must be filed with the Kentucky Harness Racing Commission. No horse shall race under lease without an eligibility certificate issued by the United States Trotting Association in the name of the lessee and unless both lessor and lessee are current members of the commission in good standing. Persons violating this rule may be fined, suspended or expelled.

Section 3. Sale or Lease During Current Year. When a horse is sold or leased after an eligibility certificate is issued for the current year, the seller or his authorized agent shall endorse the eligibility certificate to the new owner or lessee who may use it providing he immediately sends the registration certificate to the United States Trotting Association for a transfer or sends the United States Trotting Association a copy of the lease, the eligibility certificate following the horse. If the eligibility certificate is not endorsed to him, the new owner or lessee must apply to the United States Trotting Association for an eligibility certificate.

Section 4. Information Required From Horses Racing at Canadian Tracks. Prior to the declarations, owners of horses having Canadian eligibility certificates shall furnish the racing secretary with a Canadian eligibility certificate completely filled out for the current year, which has a certificate of validation attached thereto.

Section 5. Tampering With Eligibility Certificates. Persons tampering with eligibility certificates may be fined, suspended or expelled and winnings after such tampering may be ordered forfeited.

Section 6. Denial of Eligibility Certificate. An eligibility certificate may be denied to any person refusing to permit his horse to be tattooed.

Section 7. No eligibility certificate will be issued on a horse coming from a country other than Canada unless the following information, certified by the trotting association or governing body of that country from which the horse comes, is furnished:

(1) The number of starts during the preceding year, together with the number of firsts, seconds and thirds for each horse, and the total amount of money won during this period.

(2) The number of races in which the horse has started during the current year, together with the number of firsts, seconds and thirds for each horse and the money won during this period.

(3) A detailed list of the last six (6) starts giving the date, place, track condition, post position or handicap, if it was a handicap race, distance of the race, his position at the finish, the time of the race, the driver's name and the first three (3) horses in the race.

Section 8. Registration of Standard and Non-Standard Bred Horses. All foals of 1937 and thereafter shall be registered in current ownership either as standard or non-standard with the United States Trotting Association. If registration is properly applied for and all fees paid, an eligibility certificate for one (1) year may be issued and marked "registration applied for."

Section 9. Racing Season. For purposes of eligibility, a racing season or racing year shall be the calendar year. In recording winnings, gross winnings will be used and odd cents will be dropped and disregarded.

Section 10. Time Bars. No time records or bars shall be used as an element of eligibility.

Section 11. Date When Eligibility is Determined.

(1) Horses must be eligible when entries close but winnings

on closing date of eligibility shall not be considered.

(2) In mixed races, trotting and pacing, a horse must be eligible to the class at the gait at which it is stated in the entry the horse will perform.

Section 12. Conflicting Conditions. In the event there are conflicting published conditions and neither is withdrawn by the track, the more favorable to the nominator shall govern.

Section 13. Standards for Overnight Events. The race secretary should prescribe standards to determine whether a horse is qualified to race in overnight events at a meeting. The standards shall be posted at a place in which declarations are made and printed on all condition and qualifying sheets.

Section 14. Posting of Overnight Conditions. (1) Conditions for overnight events must be posted at least eighteen (18) hours before entries close at meetings other than extended pari-mutuel meetings.

(2) At extended pari-mutuel meetings, condition books will be prepared and races may be divided or substituted races may be used only where regularly scheduled races fail to fill, except where they race less than five (5) days a week. Such books containing at least three (3) days racing programs will be available to horsemen at least twenty-four (24) hours prior to closing declarations on any race program contained therein.

(3) The race secretary shall forward copies of each condition book and overnight sheet to the commission office as soon as they are available to the horsemen.

Section 15. Types of Races to be Offered. (1) In presenting a program of racing, the racing secretary shall use exclusively the following types of races:

- (a) Stakes and futurities.
- (b) Early closing and late closing events.
- (c) Conditioned races.
- (d) Claiming races.
- (e) Preferred races limited to the fastest horses at the meeting.

These may be free-for-all races, JPA, or invitationals. Horses to be used in such races shall be posted in the race secretary's office and listed with the presiding judge. Horses so listed shall not be eligible for conditioned overnight races unless the conditions specifically include horses on the preferred list. Twelve (12) such races may be conducted during a six (6) day period of racing at tracks distributing more than \$100,000 in overnight purses during such period and not more than ten (10) such races shall be conducted at other tracks during a six (6) day period of racing, provided that at least two (2) of these races are for three (3) year olds, four (4) year olds, or combined three (3) and four (4) year olds. At tracks which race less than five (5) days per week, not more than ten (10) such races may be conducted during a six (6) day period. Purses offered for such races shall be at least fifteen (15) percent higher than the highest purse offered for a conditioned race programmed the same racing week.

(2) No two (2) year old or three (3) year old will be eligible to be placed on the preferred or invitational list to race against older horses until it has won seven (7) races unless requested by the owner or authorized agent. The owner or authorized agent may withdraw such request at his discretion.

(3) Where a meeting is in progress in December and continues in January of the subsequent year, races and earnings won at that meeting may be computed in determining whether a horse may be placed on the preferred list.

Section 16. Limitation on Conditions. Conditions shall not be written in such a way that any horse is deprived of an opportunity to race in normal preference cycle. Where the word "preferred" is used in a condition it shall not supersede late preference. Not more than three (3) also eligible conditions shall be used in writing the conditions for any overnight event, nor may any multiple conditions be used.

Section 17. Dashes and Heats. Any dash or heat shall be considered as a separate race for the purposes of conditioned racing.

Section 18. Named Races. Named races are not permitted except for preferred races for the fastest horses at a meeting as set forth in Section 15(1)(e) above and invitational two (2), three (3) or four (4) year old races with a purse at least fifteen (15) percent higher than the highest purse offered for a conditioned race programmed the same racing week.

Section 19. Selection or Drawing of Horses. For all overnight events, starters and also eligibles shall be drawn by lot from those properly declared in, except that a race secretary must establish a preference system for races as provided for in 811 KAR 1:055, Section 5. However, where necessary to fill a card, not more than one (1) race per day may be divided into not more than two (2) divisions after preference has been applied and the divisions may be selected by the racing secretary. For all other overnight races that are divided the division must be by lot unless the conditions provide for a division based on performance, earnings or sex.

Section 20. Posting Requirements. (1) Names of all horses at the track ready to race shall be posted by gait in the declaration room, together with all the pertinent information

concerning such horse which may be required to determine eligibility of such horse to condition races offered at the track. There shall be a separate posting of two (2), three (3) and four (4) year olds.

(2) Supplemental purse payments made by a track after the termination of a meeting will be charged and credited to the winnings of any horse at the end of the racing year in which they are distributed, and will appear on the eligibility certificate issued for the subsequent year. Such distribution shall not affect the current eligibility until placed on the next eligibility certificate.

Section 21. Rejection of Declaration. (1) The racing secretary may reject the declaration on any horse whose eligibility certificate was not in his possession on the date the condition book is published.

(2) The racing secretary may reject the declaration on any horse whose past performance indicates that he would be below the competitive level of other horses declared, provided the rejection does not result in a race being cancelled.

Section 22. Substitute and Divided Races. (1) Substitute races may be provided for each day's program and shall be so designated. Entries in races not filling shall be posted. A substitute race or a race divided into two (2) divisions shall be used only if regularly scheduled races fail to fill.

(2) If a regular race fills it shall be raced on the day it was offered.

(3) Overnight events and substitutes shall not be carried to the next racing day.

Section 23. Opportunities to Race. A fair and reasonable racing opportunity shall be afforded both trotters and pacers in reasonable proportion from those available and qualified to race. Claiming races may be added to the proportion of each week's racing program as the number of claiming authorizations on file with the racing secretary bears to the total number of horses on the grounds which are qualified and available for racing.

Section 24. Qualifying Races. A horse qualifying in a qualifying race for which no purse is offered shall not be deprived by reason of such performance of his right to start in any conditioned race.

Section 25. Definition of "Start." The definition of the word "start" in any type of condition unless specifically so stated will include only those performances in a purse race. Qualifying and matinee races are excluded.

Section 26. Sandwiching Races. Not more than five (5) races may be sandwiched.

Section 27. Equine Infectious Anemia. (1) When it is determined that a horse is infected with, and/or is a carrier of Equine Infectious Anemia by means of the "Gel Immuno-Diffusion" method developed by Dr. Leroy Coggins, hereinafter known as the "Coggins Test" and conducted by an approved laboratory, such horse shall, thereafter, be prohibited from racing and/or being stabled at a licensed track.

(2) A negative "Coggins Test Certificate" properly identifying the horse by tattoo number issued by an approved laboratory, certifying that within the prior six (6) months the horse has been tested negative shall be presented to a track representative before any horse will be allowed entrance to, or allowed to remain upon, the grounds of a track conducting meetings.

(3) Declarations shall not be accepted for any horse to any race unless the declarer has furnished the race secretary with a negative "Coggins Test" written certificate for that horse, as required by subsection (2) above.

(4) No eligibility or validation certificate shall be issued for a horse from which a positive "Coggins Test" has been reported. If an eligibility or validation certificate is issued and it is determined thereafter that the horse for which the certificate has been issued has Equine Infectious Anemia and/or is a carrier thereof, the certificate must be returned immediately by the holder to the United States Trotting Association.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:36 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:035)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 10)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate claiming races.

Section 1. Who May Claim. An owner and/or lessee of a horse that has been declared and programmed to start in a

purse race at that meeting. An authorized agent may claim for a qualified owner. Any person seeking to effect a false claim by inducing another to claim a horse for him will be subject to the penalties provided by Section 9 herein.

Section 2. Prohibitions: (1) No person shall claim his own horse nor shall he claim a horse trained or driven by him.

(2) No person shall claim more than one (1) horse in a race.

(3) No qualified owner or his agent shall claim a horse for another person.

(4) No owner shall cause his horse to be claimed directly or indirectly for his own account.

(5) No person shall offer, or enter into an agreement, to claim or not to claim or attempt to prevent another person from claiming any horse in a claiming race.

(6) No person shall enter a horse against which there is a mortgage, bill of sale, or lien of any kind, unless the written consent of the holder thereof shall be filed with the clerk of the course of the track conducting such claiming race.

(7) Any entry in a claiming race may be entered in a subsequent race provided the entry is for a minimum of twenty (20) percent more and if claimed, the successful claimant shall have the option to scratch from the following race.

Section 3. Claiming Procedure. (1) Owner's Credit. The owner must have to his credit with the track giving the race an amount equivalent to the specified claiming price plus the existing Kentucky sales tax and requisite fees for transfer of registration. By accepting the claim, the race track assumes responsibility for payment to the owner of the horse claimed. The money due for a claimed horse is to be paid to the owner losing said horse within forty-eight (48) hours (Sundays excepted) by the track, provided that said horse has a current test complying with Section 3(14) of this regulation.

(2) Owner's Consent. No declaration may be accepted unless written permission of the owner is filed with the race secretary at the time of declaration.

(3) Program. The claiming price shall be printed on the program and all claims shall be for the amount so designated and any horse entered in a claiming race may be claimed for the designated amount.

(4) Claim Box. All claims shall be in writing, sealed and deposited at least fifteen (15) minutes before the time originally scheduled for the race to begin in a locked box provided for this purpose by the association.

(5) Opening of Claim Box. No official shall open said box or give any information on claims filed until after the race. Immediately after the race, the claim box shall be opened and the claim, if any, examined by the judges.

(6) Multiple Claims on Same Horses. Should more than one (1) claim be filed for the same horse, the owner shall be determined by lot by the judges.

(7) Delivery of Claimed Horse. A horse claimed shall be delivered immediately by the original owner or his trainer to the successful claimant upon authorization of the presiding judge. The horse's halter must accompany the horse. Altering or removing the horse's shoes will be considered a violation of this rule. The hoppel measurements of a claimed horse must be made available to the successful claimant by the paddock judge.

(8) Refusal to Deliver Claimed Horse. Any person who refuses to deliver a horse legally claimed out of a claiming race shall be suspended together with the horse until delivery is made.

(9) Vesting of Title to Claimed Horse. Every horse claimed shall race in all heats or dashes of the event in the interest and for the account of the owner who declared it in the event, but title to the claimed horse shall be vested in the successful claimant from the time the word "go" is given in the first heat or dash, and said successful claimant shall become the owner of the horse whether it be alive or dead or sound or unsound, or injured during the race or after it; provided, however, that the final vesting of title to a claimed horse is subject to the conditions and provisions of Section 3(14) of this regulation.

(10) Affidavit by Claimant. The judges may require any person making a claim for a horse to make affidavit that he is claiming said horse for his own account or as authorized agent and not for any other person. Any person making such affidavit willfully and falsely shall be subject to punishment as hereinafter provided.

(11) Penalty for Thirty Days. If a horse is claimed it shall not start in another claiming race until thirty (30) days have elapsed unless such horse is entered for a claiming price at least twenty (20) percent greater than the price at which it was claimed. The day following the date of claiming shall be the first day. If a horse is claimed no right, title or interest therein shall be sold or transferred except in a claiming race for a period of thirty (30) days following the date of claiming. Further, such horse shall be required to continue to race at the track where claimed for a period of thirty (30) days or the balance of the current racing meeting whichever comes first, unless released by the presiding judge.

(12) Return of Claimed Horse to Owner or Stable. No horse claimed out of a claiming race shall be eligible to start in any race in the name or interest of the original owner for thirty (30) days, nor shall such horse remain in the same stable, or under the care of management of the first owner or trainer, or anyone connected therewith unless reclaimed out of another claiming race.

(13) Scratched Horse. The successful claimant of a horse programmed to start may, at his option, acquire ownership of a

claimed horse, even though such claimed horse was scratched. The successful claimant must exercise his option by 9:00 a.m. of the day following the claiming race to which the horse was programmed and scratched.

(14) Blood Sample Where Horse Is Claimed. No blood sample shall be taken of a horse which has been claimed, if said horse has a valid veterinarian certificate within six (6) months of said claim, which certificate includes the horse's lip tattoo number and which is negative for Equine Infectious Anemia. In the event that said horse does not have said certificate, then a blood sample shall be taken immediately after the race in the paddock by a licensed veterinarian, and the sample identified as being from a claimed horse shall be forwarded within twenty-four (24) hours to an approved laboratory to be tested for Equine Infectious Anemia. Pending the receipt of a negative test for Equine Infectious Anemia the monies paid for the claimed horse shall be held by the track. In the event of a positive test for Equine Infectious Anemia the ownership of the claimed horse shall revert to the owner from whom the horse was claimed and the claiming monies shall be returned to the person or persons who claimed the horse. The cost of the test is to be borne by said owner and the test may be waived by the claimant at his discretion by so indicating on the claiming slip.

Section 4. Subject to the conditions of Section 3(14) of this regulation, the track shall pay the claiming price to the owner at the time the registration certificate is delivered for presentation to the successful claimant and shall withhold and pay the Kentucky sales tax to the Commonwealth as required by law.

Section 5. Claiming Conditions. Whenever possible claiming races shall be written to separate horses five (5) years old and up from young horses and to separate males from females. If sexes are mixed, mares shall be given a ten (10) percent minimum price allowance. The lowest claiming class written at a specific meeting may be conditioned.

Section 6. Minimum Price. No claiming race shall be offered permitting claims for less than the minimum purse offered at that time during the same racing week.

Section 7. Determination of Claiming Price. Except as provided in Section 3(11) of this regulation, and except as provided in 811 KAR 1:030, Section 21, no horse owner shall be prohibited from determining the price for which his horse shall be entered.

Section 8. The current registration certificate of all horses entered in claiming races must be on file with the racing secretary together with a separate claiming authorization form signed by the registered owner or owners and indicating the minimum amount for which the horse may be entered to be claimed. To facilitate transfer of claimed horses the presiding judge may sign the transfer provided that he then send the registration certificate and claiming authorization to the registrar for transfer.

Section 9. Any person violating any of the provisions of this regulation shall be fined, suspended or expelled.

Section 10. Fraudulent Claim: (1) If the judges determine that the declaration of any horse to a claiming race is fraudulent on the part of the declarer they may void the claim and at the option of the claimant order the horse returned to the person declaring it in.

(2) If the judges determine that any claim of a horse is fraudulent on the part of the person making the claim, they may void the claim and may, at the option of the person declaring it in, return the horse to the person declaring it in.

Section 11. (1) Should any stable be eliminated by sale or removal from the grounds, the right to claim is void. However, when a stable has been eliminated by claiming, the owner so affected shall have the right to claim a horse during the next thirty (30) racing days at any recognized meeting in this state even though all or a portion of the next thirty (30) racing days take place in the following calendar year. The owner or trainer of a stable eliminated by claiming shall get a written statement from the deputy commissioner or his assistant stating the date and place that the said stable was eliminated by claiming. Should such stable acquire a horse before availing itself of the privilege, then the privilege shall be void.

(2) Should any stable be eliminated by fire or other hazards, such stable shall have claiming privilege under the conditions indicated for the stable eliminated by claiming, at the discretion of the deputy commissioner or his assistant.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:37 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:040)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KRC 1-8 (Rule 11)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate stakes and futurities.

Section 1. (1) All stake and futurity sponsors or presentors shall make an annual application for approval containing the following:

- (a) Satisfactory evidence of financial responsibility.
- (b) Proposed conditions.
- (c) Sums to be deducted for organization or promotion.
- (d) An agreement to file with the commission a surety bond in the amount of the fund, conditioned on faithful performance of the conditions, including a guarantee that said stake or futurity will be raced as advertised in said conditions unless unanimous consent is obtained from owners of eligibles to transfer or change the date thereof, or unless prevented by an act of God or conditions beyond the control of the sponsor, segregation of funds and making all payments. In any instance where an association furnishes the commission substantial evidence of financial responsibility satisfactory to the commission, such evidence may be accepted in lieu of surety bond.

(2) Waiver of Bond. The requirement of a bond may be waived by the commission upon written request of a sponsor who is a track member and whose financial statement shows a net worth of five (5) times the amount of trust funds received from payments in stake and futurities. Where this is permitted, the sponsor will furnish a certified copy of the bank deposit in lieu of bond. Where bond is posted with the United States Trotting Association, the commission may waive the requirements of Section 1(1)(d) above.

(3) Trust Funds. Collections resulting from the forfeiting of any bond will be paid to the contestants according to the order of finish, or in the event the race is not contested, will be divided equally among owners or eligibles on the date the breach of conditions occurs.

(4) Appeal of Application Rejection. An applicant may appeal the rejection of an application to the commission within twenty (20) days after the mailing of the notice of rejection by registered mail.

(5) Receipt of Printed Conditions. The commission must receive printed conditions of all stakes and futurities by closing date of said stakes and futurities.

(6) Conflicting Conditions. Stakes and futurities conditions which conflict with the commission's rules and regulations may be refused.

(7) The sponsors and presentors shall:

- (a) List of Nominations. Mail list of nominations within sixty (60) days after the date of closing to the commission.
- (b) Financial Statement. Furnish the commission with an annual financial statement of each stake or futurity, and within thirty (30) days following the day of the race, submit to the commission a final financial statement.
- (c) Failure to Fill. Notify all nominators and the commission within twenty (20) days if the stake or futurity does not fill.
- (d) List of Eligibles. Shall mail within twenty (20) days a complete list of all horses remaining eligible, segregated by age, sex and gait, to the commission; and shall mail within twenty (20) days following the last payment before the starting fee, a complete list of all horses remaining eligible, segregated by age, sex and gait, to the owners or agents of all eligibles and the commission, together with a list of any nominations transferred or substituted if such is permitted by the conditions. The list of eligibles shall also include a resume indicating the current financial status of the stake or futurity, or of each individual division thereof if there is more than one (1) division, by listing the number of horses remaining eligible, the amount of money that has been paid in and the amount to be added. The purse shall constitute this amount plus starting fees, if any.
- (e) Nominating and Sustaining Payment Dates. Shall set the nominating date and the dates for all sustaining payments except the starting fee on the fifteenth day of the month, and there shall be no payments on yearlings except a nomination payment and such nomination payment shall be due not later than August 15. Before taking any sustaining payments during the year the race is to be contested, the date and place of the race shall be stated. No stake or futurity sustaining fee shall become due prior to February 15 of any year. There shall be no conditions that call for payments in stakes or futurities to fall due after August 15 and before February 15 of the following year. Beginning with stakes and futurities closing in 1975 and thereafter, the date for closing of the nominations of yearlings to stakes shall be May 15 and the date for closing of the nominations to futurities shall be July 15. No

more than one (1) sustaining payment on two (2) year olds in stakes and futurities do not have a two (2) year old division will be permitted. No more than two (2) sustaining payments on any horse of any age in any calendar year with the exception of the starting fee will be approved.

(f) Notice of Place and Date of Race. Shall, if possible, advertise the week and place the stake or futurity will be raced before taking nominations. Otherwise, announcement of the week and place shall be made as soon as the stake or futurity is sold or awarded.

(8) Forms. All nominations and entry forms, lists of nominations and lists of eligibles shall be on standard eight and one-half (8 1/2) by eleven (11) paper. Such lists shall list the owners alphabetically.

(9) Estimated Purse. No estimated purse shall be advertised or published in excess of the actual purse paid or distributed during the previous year, unless increased by guaranteed added money. No stake or futurity shall be raced for less than seventy-five (75) percent of the average estimated purse.

Section 2. Sponsor's Contribution. (1) The sum contributed by a sponsor who is not a track member shall be considered forfeit and is to be included in the sum distributed in the event the stake or futurity is not raced.

(2) Effective, with stakes and futurities opened in 1975 and thereafter, no stake or futurity shall be approved for extended pari-mutuel meetings if the added money is not at least thirty (30) percent of the purse and for all other meetings at least ten (10) percent of the purse shall be added.

(3) In the event a stake or futurity is split into more than two (2) divisions, the added money for each division shall be at least twenty (20) percent of all nomination, sustaining and starting fees paid into such stake or futurity. In the event a stake or futurity is split into two (2) divisions, each division must race for at least seventy-five (75) percent of the advertised purse.

Section 3. Failure to Make Payment. Failure to make any payment required by the conditions constitutes an automatic withdrawal from the event.

Section 4. Refund of Nomination Fee. In the event that a mare nominated to a futurity fails to have a live foal, the nominator shall receive a return on his payment upon notification by December 1 of the year of not foaling, or if the conditions so provide, he may substitute.

Section 5. Beginning with stakes and futurities closing in 1975 and thereafter, no sponsor shall pay monetary awards to nominators or breeders out of stake or futurity funds.

Section 6. Deductions Prohibited. No deduction, voluntary or involuntary, may be made from any purse or stake, or futurity except that if the conditions specifically so provide reasonable deductions may be made for clerical, printing, postage and surety bond expenses specifically related to such purse, stake or futurity.

Section 7. Unless otherwise specified in the conditions of a stake or futurity, the money division shall be:

(1) Five (5) or more starters, the following percentages: fifty (50), twenty-five (25), twelve (12), eight (8) and five (5).

(2) Four (4) starters only, the following percentages: fifty (50), twenty-five (25), fifteen (15) and ten (10).

(3) Three (3) starters only, the following percentages: sixty (60), thirty (30) and ten (10).

(4) Two starters only, the following percentages: sixty-five (65) and thirty-five (35).

Section 8. If the sponsor has failed to comply with the provisions of this regulation, the commission shall be authorized to refuse renewals of such stakes and futurities and/or to impose a fine not to exceed \$100.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:37 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:045)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 12)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate entries.

Section 1. All entries must: (1) Be made in writing.

(2) Be signed by the owner or his authorized agent except as provided in 811 KAR 1:055, Section 1.

(3) Give name and address of both the bona fide owner and

agent or registered stable name or lessee.

(4) Give name, color, sex, sire and dam of horse.

(5) Name the event or events in which the horse is to be entered.

(6) Entries in overnight events must also comply with the provisions of 811 KAR 1:055, Section 1.

Section 2. Payment of Entry Fee. Entry fee shall be due and payable with declaration to start and will not be refunded if horse fails to start unless horse dies between time of declaration to start and start of race. For purposes of clarification, entry fee shall be defined as the payment required with declaration to start.

Section 3. Penalties. The penalty for noncompliance with any of the above requirements is a fine of not less than five dollars (\$5) nor more than fifty dollars (\$50) for each offense. If the facts are falsely stated for the purpose of deception, the guilty party shall be fined and/or suspended or expelled.

Section 4. Receipt of Entries for Early Closing Events, Late Closing Events, Stakes and Futurities.

(1) All entries not actually received at the hour of closing shall be ineligible, except entries by letter bearing postmark not later than the following day (omitting Sunday) or entries notified by telegraph, the telegram to be actually received at the office of sending at or before the hour of closing, such telegram to state the color, sex, and name of the horse, the class to be entered; also to give the name and residence of the owner and the party making entry. Whenever an entry or payment in a stake, futurity, or early closing race becomes payable on a Sunday or a legal holiday that falls on Saturday, such payment is to be due on the following Monday, and if made by mail the envelope must be postmarked on or before the following Tuesday. If a payment falls on a Monday that is a legal holiday, such payment is due on Tuesday, and if made by mail must be postmarked on or before the following Wednesday.

(2) Postage Meter. Where an entry is received by letter bearing the postage meter date without any postmark placed thereon by the Post Office Department, such postage meter date shall be considered to be a postmark for the purpose of this rule if the letter is actually received within seven (7) days following the closing date of the event. Receipt subsequent to this time of an entry by letter bearing the metered postmark date shall not be a valid entry or payment to any event. The metered date must conform to the postmark date as set forth above in order to be valid.

Section 5. Deviation from Published Conditions. All entries and payments not governed by published conditions shall be void and any proposed deviation from such published conditions shall be punished by a fine not to exceed fifty dollars (\$50) for each offense; and any nominator who is allowed privileges not in accordance with the published conditions of the race, or which are in conflict with these rules, shall be debarred from winning any portion of the purse, and the said nominator and the secretary or other persons who allowed such privileges shall be deemed to have been parties to a fraud.

Section 6. Where Ineligible Horse Races. A nominator is required to guarantee the identity and eligibility of his entries and declarations, and if given incorrectly he may be fined, suspended or expelled, and any winnings shall be forfeited and redistributed to eligible entries. A person obtaining a purse or money through fraud or error shall surrender or pay the same upon demand, or he, together with the parties implicated in the wrong, and the horse or horses shall be suspended until such demand is complied with and such purse or money shall be suspended until such demand is complied with and such purse or money shall be awarded to the party justly entitled to the same. However, where any horse is ineligible as a result of the negligence of the race secretary, the track shall reimburse the owner for the resultant loss of winnings.

Section 7. Transfer of Ineligible Horse. A horse entered in an event to which it is ineligible, may be transferred to any event to which he is eligible at the same gait.

Section 8. Withholding Purse on Ineligible Horse. Tracks shall be warranted in withholding the premium of any horse, without a formal protest, if they receive information, in their judgment, tending to establish that the entry or declaration was fraudulent or ineligible.

Section 9. Agreement to Race Under Rule. Every entry shall constitute an agreement that the person making it, the owner, lessee, manager, agent, nominator, driver, or other person having control of the horse, and the horse shall be subject to these rules and regulations, and will submit all disputes and questions arising out of such entry to the authority and the judgment of this commission, whose decision shall be final.

Section 10. Early Closing Events and Late Closing Races:

(1) Date and Place. The sponsor shall state the place and day the event will be raced and no change in date, program, events, or conditions can be made after the nominations have been taken without the written consent of the owners or trainer of all horses eligible at the time the conditions are changed.

(2) Filing Conditions. An entry blank shall be filed with the commission.

(3) Payments on the Fifteenth of the Month. All nominations and payments other than starting fees in early closing events shall be advertised to fall on the fifteenth (15th) day of the month.

(4) List of Nominations. A complete list of nominations to any last closing race or early closing event shall be published within twenty (20) days after the date of closing and mailed to each nominator and the commission.

(5) Procedure If Event Does Not Fill. If the event does not fill, each nominator and the commission shall be notified within ten (10) days and refund of nomination fees shall accompany the notice.

(6) Transfer Provisions for Change of Gait:

(a) Unless a track submits its early closing conditions to the commission at least thirty (30) days prior to the first publication and has such conditions approved, the following provisions will govern transfers in the event of a change of gait. If conditions published for early closing events allow transfer for change of gait, such transfer shall be to the slowest class the horse is eligible for at the adopted gait; eligibility to be determined at time of closing of entries. The race to which transfer may be made must be the one nearest the date of the event originally entered.

(b) Two (2) year olds, three (3) year olds, or four (4) year olds, entered in classes for their age, may only transfer to classes for same age group at the adopted gait to the race nearest the date of the event originally entered, entry fees to be adjusted.

Section 11. Subsequent Payments; Lists of Eligibles. If subsequent payments are required, a complete list of those withdrawn or declared out shall be made within fifteen (15) days after the payment was due and the list mailed to each nominator and the commission.

Section 12. Trust Funds. All fees paid in early closing events shall be segregated and held as trust funds until the event is contested.

Section 13. Early Closing Events by New Track. No early closing events may be advertised or nominations taken therefor for a pari-mutuel meeting that has not had its application approved by the commission. Tracks accepting nominations to early closing races, late closing races, stakes and futurities will give stable space to any horse nominated and eligible to such event the day before, the day of, and the day after such race.

Section 14. Limitation on Conditions. Conditions of early closing events or late closing races that will eliminate horses nominated to an event, or add horses that have not been nominated to an event, by reason of the performance of such horses at an earlier meeting held the same season, are invalid. Early closing events or late closing events shall have not more than two (2) also eligible conditions.

Section 15. Penalties. Any official or track who fails to comply with any provisions of this rule shall be fined, suspended or expelled, unless otherwise provided.

Section 16. In early closing races, late closing races, and overnight races requiring entry fees, all monies paid in by the nominators in excess of eighty-five (85) percent of the advertised purse shall be added to the advertised purse and the total shall then be considered to be the advertised purse. In addition to adding excess entry fees as provided above, the sponsor shall add at least fifteen (15) percent to the advertised purses of late closing races and overnight races. Fifteen (15) percent of all monies paid in by the nominators shall be added to all early closing races by the sponsor.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:37 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:050)

RELATES TO: KRS 230.630(1), (3), 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 13)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate entries and starters; split races.

Section 1. (1) Tracks must specify how many entries are required for overnight events and after the condition is fulfilled, the event must be contested except when declared off as provided in 811 KAR 1:060.

(2) In early closing events, or late closing events, if five (5) or more interests are declared in to start, the race must be contested, except when declared off. Stakes and Futurities must be raced if one or more horses are declared in

to start except when declared off as provided in 811 KAR 1:060.

(3) In an early closing event, if less horses are declared in than are required to start, and all declarers are immediately so notified, the horse or horses declared in and ready to race shall be entitled to all the entrance money and any forfeits from each horse named.

Section 2. Elimination Heats or Two Divisions: (1) In any race where the number of horses declared in to start exceeds twelve (12) on a half-mile track or sixteen (16) on a larger track, the race, at the option of the track conducting same stated before positions are drawn, may be raced in elimination heats. No more than two (2) tiers of horses, allowing eight (8) feet per horse, will be allowed to start in any race.

(2) (a) Where the race is divided, each division must race for at least seventy-five (75) percent of the advertised purse.

(b) In an added money early closing event the race may be divided and raced in divisions and each division raced for an equal share of the total purse if the advertised conditions so provide; provided, however, extended meetings shall add an additional amount so that each division will race for seventy-five (75) percent of the total of the advertised purse and added money. These provisions shall apply to any stake or early closer with a value of \$20,000 or less.

(3) In any stake race or futurity, where the conditions state that the event shall be raced one (1) dash on a race track of less than a mile at an extended pari-mutuel meeting, and where the number of horses declared in to start exceed twelve (12), the race, at the option of the racing association conducting the same, stated before positions are drawn, may be divided by lot and raced in two (2) elimination divisions with all money winners from both divisions competing in the final. Each division shall race one (1) elimination heat for twenty (20) percent of the total of the purse. The remainder of the purse shall be distributed to the money winners in the final.

Section 3. Elimination Plans. (1) Whenever elimination heats are required, or specified in the published conditions such race shall be raced in the following manner unless conducted under another section of this rule and regulation. That is, the field shall be divided by lot and the first division shall race a qualifying dash for thirty (30) percent of the purse, the second division shall race a qualifying dash for thirty (30) percent of the purse and the horses so qualified shall race in the main event for forty (40) percent of the purse. The winner of the main event shall be the race winner.

(2) In the event there are more horses declared to start than can be accommodated by the two (2) elimination dashes, then there will be added enough elimination dashes to take care of the excess. The percent of the purse raced for each elimination dash will be determined by dividing the number of elimination dashes into sixty (60). The main event will race for forty (40) percent of the purse.

(3) Unless the conditions provide otherwise, if there are two (2) elimination dashes, the first four (4) finishers in each dash qualify for the final; if three (3) or more elimination dashes, not more than three (3) horses will qualify for the final from each qualifying dash.

(4) The judges shall draw the positions in which the horses are to start in the main event; i.e., they shall draw positions to determine which of the dash winners shall have the pole, and which the second position; which of the two (2) horses that have been second shall start in third position; and which in fourth, etc. All elimination dashes and the concluding heat must be programmed to be raced upon the same day or night, unless special provisions for earlier elimination dashes are set forth in the conditions.

(5) In the event there are three (3) separate heat or dash winners and they alone come back in order to determine the race winner according to the conditions, they will take post positions according to the order of their finish in the previous heat or dash.

(6) In any race where the number of horses declared in to start exceeds twelve (12) on a half-mile track or sixteen (16) on a mile track, unless other numbers are specified in the conditions, the race, at the option of the track members conducting the same, stated before positions are drawn may be divided by lot and raced in two (2) divisions with all heat winners from both divisions competing in a final heat to determine the race winner. Each division shall race two (2) heats for twenty (20) percent of the purse each heat. The remaining twenty (20) percent of the purse shall go to the winner of the final heat.

(7) Whenever elimination heats are required, or specified in the published conditions of a stake or futurity, such race may be raced on the three (3) heat plan, irrespective of any provisions in the conditions to the contrary, unless such published conditions provide otherwise. That is, the field shall be divided by lot and the first division shall race for thirty (30) percent of the purse, the second division shall race for thirty (30) percent, and the horses qualifying in the first and second divisions shall race the third heat for thirty (30) percent of the purse. If, after the third heat, no horse has won two heats, a fourth heat shall be raced by only the heat winners. The race winner shall receive the remaining ten (10) percent of the purse. The number of horses qualifying to return after each elimination heat will be the same as set out in Section 3 of this regulation.

Section 4. Overnight Events. Not more than eight (8) horses shall be allowed to start on a half-mile track in overnight events and not more than ten (10) horses on larger tracks at extended pari-mutuel meetings. Trailers are not permitted where the track has room to score all horses abreast.

Section 5. Qualifying Race for Stake, Etc. Where qualifying races are provided in the conditions of an early closing event, stake or futurity, such qualifying race must be held not more than five (5) days prior to contesting the main event (excluding Sunday) and omitting the day of the race.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:38 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:055)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 14)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate declarations to start; drawing horses.

Section 1. Declaration. (1) At Extended Pari-Mutuel Meetings. Unless otherwise specified in the conditions, the declaration time at extended pari-mutuel meetings shall be 9 a.m.

(2) Declaration Time at Other Meetings. At all other meetings starters must be declared in at 10 a.m. unless another time is specified in the conditions.

(3) No horse shall be declared to start in more than one (1) race on any one (1) racing day.

(4) Time Used. In order to avoid confusion and misunderstanding, the time when declarations close will be considered to be standard time, except the time in use at an extended pari-mutuel meeting shall govern that meeting.

(5) Declaration Box. The management shall provide a locked box with an aperture through which declarations shall be deposited.

(6) Responsibility for Declaration Box. The presiding judge shall be in charge of the declaration box.

(7) Search for Declarations by Presiding Judge Before Opening Box. Just prior to opening of the box at extended pari-mutuel meetings where futurities, stakes, early closing or late closing events are on the program, the presiding judge shall check with the race secretary to ascertain if any declarations by mail, telegraph, or otherwise, are in the office and not deposited in the entry box, and he shall see that they are declared and drawn in the proper event.

(8) Opening of Declaration Box. At the time specified the presiding judge shall unlock the box, assort the declarations found therein and immediately draw the positions in the presence of such owners or their representatives, as may appear.

(9) Entry Box and Drawing of Horses at Extended Pari-Mutuel Meetings. The entry box shall be opened by the presiding judge at the advertised time and the presiding judge will be responsible to see that at least one (1) horseman or an official representative of the horsemen is present. No owner or agent for a horse with a declaration in the entry box shall be denied the privilege of being present. Under the supervision of the presiding judge, all entries shall be listed, the eligibility verified, preference ascertained, starters selected and post positions drawn. If it is necessary to reopen any race, public announcement shall be made at least twice and the box reopened to a definite time.

(10) Drawing of Post Positions for Second Heat in Races of More Than One (1) Dash or Heat at Pari-Mutuel Meetings. In races of a duration of more than one (1) dash or heat at pari-mutuel meetings, the judges may draw post positions from the stand for succeeding dashes or heats.

(11) Declarations by Mail, Telegraph or Telephone. Declarations by mail, telegraph, or telephone actually received and evidence of which is deposited in the box before the time specified to declare in, shall be drawn in the same manner as the others. Such drawings shall be final. Mail, telephone and telegraph declarations must state the name and address of the owner or lessee; the name, color, sex, sire and dam of the horse; the name of the driver and his colors; the date and place of last start; a current summary, including the number of starts, first, seconds, thirds, earnings and best winning time for the current year; and the event or events in which the horse is to be entered.

(12) Effect of Failure to Declare on Time. When a track requires a horse to be declared at a stated time, failure to declare as required shall be considered a withdrawal from the event.

(13) Drawings of Horses After Declaration. After declaration to start has been made no horse shall be drawn except by permission of the judges. A fine, not to exceed \$500, or suspension, may be imposed for drawing a horse without permission, the penalty to apply to both the horse and the party who violates the regulation.

(14) Horses Omitted Through Error. Such drawings shall be final unless there is conclusive evidence that a horse properly declared, other than by telephone, was omitted from the race through the error of a track or its agent or employee in which event the horse may be added to this race but given the outside post position. This shall not apply at pari-mutuel meetings unless the error is discovered prior to the publication of the official program.

Section 2. Qualifying Races. At all extended pari-mutuel meetings declarations for overnight events shall be governed by the following:

(1) Within two (2) weeks of being declared in, a horse that has not raced previously at the gait chosen must go a qualifying race under the supervision of a judge holding a presiding or associate judge's license for pari-mutuel meetings and acquire at least one (1) charted line by a licensed charter. In order to provide complete and accurate chart information on time and beaten lengths a standard photo finish shall be in use.

(2) A horse that does not show a charted line for the previous season, or a charted line within its last six (6) starts, must go a qualifying race as set forth in subsection (1). Uncharted races contested in heats or more than one (1) dash and consolidated according to subsection (4) will be considered one (1) start.

(3) A horse that has not started at a charted meeting by August 1 of a season must go a qualifying race as set forth in subsection (1).

(4) When a horse has raced at a charted meeting during the current season, then gone to meetings where the races are not charted, the information from the uncharted races may be summarized, including each start, and consolidated in favor of charted lines and the requirements of subsection (2) would then not apply.

(5) The consolidated line shall carry date, place, time, driver, finish, track condition and distance if race is not at one (1) mile.

(6) The judges may require any horse that has been on the steward's list to go a qualifying race. If a horse has raced in individual time not meeting the qualifying standards for that class of horse, he may be required to go a qualifying race.

(7) The judges may permit a fast horse to qualify by means of a timed workout consistent with the time of the races in which he will compete in the event adequate competition is not available for a qualifying race.

(8) To enable a horse to qualify, qualifying races should be held at least one (1) full week prior to the opening of any meeting of ten (10) days or more and shall be scheduled at least twice a week. Qualifying races shall also be scheduled twice a week during the meeting.

(9) Where a race is conducted for the purpose of qualifying drivers and not horses, the race need not be charted, timed or recorded. This subsection is not applicable to races qualifying both drivers and horses.

(10) If a horse takes a win race record in a qualifying race, such record must be prefaced with the letter "Q" wherever it appears, except in a case where, immediately prior to or following the race, the horse taking the record has been submitted to an approved urine, saliva or blood test. It will be the responsibility of the presiding judge to report the test on the judges' sheet.

Section 3. Coupled Entries. (1) When the starters in a race include two (2) or more horses owned or trained by the same person, or trained in the same stable or by the same management, they shall be coupled as an "entry" and a wager on one (1) horse in the "entry" shall be a wager on all horses in the "entry." Provided, however, that when a trainer enters two (2) or more horses in a stake, early closing, futurity, free-for-all or other special event under bona fide separate ownerships, the said horses may, at the request of the association and with the approval of the commission, be permitted to race as separate betting entries. The fact that such horses are trained by the same person shall be indicated prominently in the program. If the race is split in two (2) or more divisions, horses in an "entry" shall be seeded insofar as possible, first by owners, then by trainers, then by stables; but the divisions in which they compete and their post positions shall be drawn by lot. The above provision shall also apply to elimination heats.

(2) The presiding judge shall be responsible for coupling horses. In addition to the foregoing, horses separately owned or trained may be coupled as an entry where it is necessary to do so to protect the public interest for the purpose of pari-mutuel wagering only. However, where this is done, entries may not be rejected.

Section 4. Also Eligibles. Not more than two (2) horses may be drawn as also eligibles for a race and their positions shall be drawn along with the starters in the race. In the event one (1) or more horses are excused by the judges, the also eligible horse or horses shall race and take the post position drawn by the horse that it replaces, except in handicap races. In handicap races the also eligible horse shall take the place of the horse that it replaces in the event that the handicap is the same. In the event the handicap is different, the also eligible horse shall take the position on the outside of horses with a similar handicap. No horse may be added to a race as an also eligible unless the horse was drawn as such at the time declarations closed. No horse may be barred from a race to which it is otherwise eligible by reason of its preference due to the fact that it has been drawn as an also eligible. A horse moved into the race from

the also eligible list cannot be drawn except by permission of the judges, but the owner or trainer of such a horse shall be notified that the horse is to race and it shall be posted at the race secretary's office. All horses on the also eligible list and not moved in to race by 9 a.m. on the day of the race shall be released.

Section 5. Preference. (1) Preference shall be given in all overnight events according to a horse's last previous purse race during the current year. The preference date on a horse that has drawn to race and been scratched is the date of the race from which he was scratched.

(2) When a horse is racing for the first time in the current year, the date of the first declaration shall be considered its last race date, and preference applied accordingly.

Section 6. Steward's List. (1) A horse that is unfit to race because he is dangerous, unmanageable, sick, lame, unable to show a performance to qualify for races at the meeting, or otherwise unfit to race at the meeting may be placed on a "steward's list" by the presiding judge, and declarations on said horse shall be refused, but the owner or trainer shall be notified in writing of such action and the reason as set forth above shall be clearly stated on the notice. When any horse is placed on the steward's list, the clerk of the course shall make a note on the eligibility certificate of such horse, showing the date the horse was put on the steward's list, the reason therefor and the date of removal if the horse has been removed.

(2) No presiding judge or other official at a non-extended meeting shall have the power to remove from the steward's list and accept as an entry any horse which has been placed on a steward's list and not subsequently removed therefrom for the reason that he is a dangerous or unmanageable horse. Such meetings may refuse declarations on any horse that has been placed on the steward's list and has not been removed therefrom.

Section 7. Driver. Declarations shall state who shall drive the horse and give the driver's colors. Drivers may be changed until 9 a.m. of the day preceding the race, after which no driver may be changed without permission of the judges and for good cause. When a nominator starts two (2) or more horses, the judges shall approve or disapprove the second and third drivers.

Section 8. (1) It shall be the duty of the presiding judge to call a meeting of all horsemen on the grounds before the opening of an extended pari-mutuel meeting for the purpose of their electing a member and an alternate to represent them on matters relating to the withdrawal of horses due to bad track or weather conditions.

(2) In case of questionable track conditions due to weather, the presiding judge shall call a meeting consisting of an agent of the track member, the duly elected representative of the horsemen and himself.

(3) Upon unanimous decision by this committee of three (3) that track conditions are safe for racing, no unpermitted withdrawals may be made.

(4) Any decision other than unanimous by this committee will allow any entrant to scratch his horse or horses after posting ten (10) percent of the purse to be raced for. In the event sufficient withdrawals are received to cause the field to be less than six (6), then the track member shall have the right of postponement of an early closing event or stake and cancellation of an overnight event.

(5) Said money posted shall be forwarded to the commission and shall be retained as a fine, or refunded to the individual upon the decision of the commission as to whether the withdrawal was for good cause.

(6) The above procedure applies only to the withdrawal of horses that have been properly declared in and does not relate to postponement which is covered in 811 KAR 1:060.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:39 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:060)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 15)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate postponement of races.

Section 1. In case of unfavorable weather, or other unavoidable cause, tracks with the consent of the judges shall postpone races in the following manner:

(1) Early closing races, stakes, and futurities. All shall be postponed to a definite hour the next fair day and good track.

(2) Any late closing race, early closing race, and stake or

futurity (except as provided in subsections (4) and (5)) that cannot be raced during the scheduled meeting shall be declared off and the entrance money and forfeits shall be divided equally among the nominators who have horses declared in and eligible to start.

(3) Any late closing race or early closing race that has been started and remains unfinished on the last day of the scheduled meeting shall be declared ended and the full purse divided according to the summary. Any such race that has been started but postponed by rain earlier in the meeting may be declared ended and the full purse divided according to the summary.

(4) Stakes and futurities should be raced where advertised and the meeting may be extended to accomplish this. Any stake or futurity that has been started and remains unfinished on the last day of the scheduled meeting shall be declared ended and the full purse divided according to the summary except where the track elects to extend the meeting to complete the race. Horses that are scratched after a heat and before a race is declared finished, do not participate in purse distribution from subsequent heats in the event the race is called off and declared finished.

(5) Unless otherwise provided in the conditions, in order to transfer stakes and futurities to another meeting, unanimous consent must be obtained from the track and from all those having eligibles in the event.

(6) At meetings of more than five (5) days duration, overnight events may be postponed and carried over not to exceed two (2) racing days.

(7) At meetings of a duration of five (5) days or less, overnight events and late closing races shall be cancelled and starting fees returned in the event of postponement, unless the track is willing to add the postponed races to the advertised program for subsequent days of the meeting.

(8) At the option of management any postponed races may be contested in single mile dashes. Where races are postponed under this regulation, management shall have the privilege of selecting the order in which the events will be raced in any combined program.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:38 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:065)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 16)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate starting of races.

Section 1. With Starting Gate: (1) Starter's Control. The starter shall have control of the horses from the formation of the parade until he gives the word "go."

(2) Scoring. After one (1) or two (2) preliminary warning up scores, the starter shall notify the drivers to fasten their helmet chin straps and come to the starting gate. During or before the parade the drivers must be informed as to the number of scores permitted.

(3) The horses shall be brought to the starting gate as near one-quarter (1/4) of a mile before the start as the track will permit.

(4) Speed of Gate. Allowing sufficient time so that the speed of the gate can be increased gradually, the following minimum speeds will be maintained:

(a) For the first one-eighth (1/8) mile, not less than eleven (11) miles per hour.

(b) For the next one-sixteenth (1/16) of a mile not less than eighteen (18) miles per hour.

(c) From that point to the starting point, the speed will be gradually increased to maximum speed.

(5) On mile tracks horses will be brought to the starting gate at the head of the stretch and the relative speeds mentioned in subsection (4) will be maintained.

(6) The starting point will be a point on the inside rail a distance of not less than 200 feet from the first turn. The starter shall give the word "go" at the starting point.

(7) When a speed has been reached in the course of a start there shall be no decrease except in the case of a recall.

(8) Recall Notice. In case of a recall a light plainly visible to the driver shall be flashed and a recall sounded and wherever possible the starter shall leave the wings of the gate extended and gradually slow the speed of the gate to assist in stopping the field of horses. In an emergency, however, the starter shall use his discretion to close the wings of the gate.

(9) There shall be no recall after the word "go" has been given and any horse, regardless of his position or an accident, shall be deemed a starter from the time he entered into the starter's control unless dismissed by the starter.

(10) Breaking Horse. The starter shall endeavor to get all horses away in position and on gait but no recall shall be had for a breaking horse except as provided in subsection (11) (e).

(11) Recall; Reasons For. The starter may sound a recall only for the following reasons:

- (a) A horse scores ahead of the gate.
- (b) There is interference.
- (c) A horse has broken equipment.
- (d) A horse falls before the word "go" is given.
- (e) Where a horse refuses to come to the gate or is on a break before the gate reaches the recall pole, the field must be turned.

(12) Penalties. A fine not to exceed \$100 or suspension from driving not to exceed fifteen (15) days, or both, may be applied to any driver, by the starter for:

- (a) Delaying the start.
- (b) Failure to obey the starter's instructions.
- (c) Rushing ahead of the inside or outside wing of the gate.
- (d) Coming to the starting gate out of position.
- (e) Crossing over before reaching the starting point.
- (f) Interference with another driver during the start.
- (g) Failure to come up into position.

(13) Riding in Gate. No persons shall be allowed to ride in the starting gate except the starter and his driver or operator, and a patrol judge, unless permission has been granted by the commission.

(14) Loudspeaker. Use of a mechanical loudspeaker for any purpose other than to give instructions to drivers is prohibited. The volume shall be no higher than necessary to carry the voice of the starter to the drivers.

(15) The penalty for violation of this section shall be a fine of not to exceed \$500 or suspension not to exceed thirty (30) days, after a hearing by the commission. A hearing must be granted before any penalty is imposed.

Section 2. Holding Horses Before Start. Horses may be held on the backstretch not to exceed three (3) minutes awaiting post time, except when delayed by an emergency.

Section 3. Two (2) Tiers. (1) In the event there are two (2) tiers of horses, the withdrawing of a horse that has drawn or earned a position in the front tier shall not affect the position of the horses that have drawn or earned positions in the second tier.

(2) Whenever a horse is drawn from any tier, horses on the outside move in to fill up the vacancy.

Section 4. Starters. The horses shall be deemed to have started when the word "go" is given by the starter and all the horses must go the course except in case of an accident in which it is the opinion of the judges that it is impossible to go the course.

Section 5. Unmanageable Horse. (1) If in the opinion of the judges or the starter, a horse is unmanageable or liable to cause accidents or injury to any other horse or to any driver, it may be sent to the barn. When this action is taken, the starter will notify the judges who will in turn notify the public.

(2) A horse shall be considered unmanageable if such horse causes more than one (1) recall in the same dash or heat and such horse may be excused by the starter and sent to the barn.

Section 6. Bad Acting Horse. At meetings where there is no wagering, the starter may place a bad acting horse on the outside at his discretion. At pari-mutuel meetings such action may be taken only where there is time for the starter to notify the judges who will in turn notify the public prior to the sale of tickets on such race. If tickets have been sold, the bad acting horse must be scratched under the provisions of Section 5.

Section 7. Post Positions; Heat Racing. The horse winning heat shall take the pole (or inside position) the succeeding heat, unless otherwise specified in the published conditions, and all others shall take their positions in the order they were placed the last heat. When two (2) or more horses shall have made a dead heat, their positions shall be settled by lot.

Section 8. Shield. The arms of all starting gates shall be provided with a screen or a shield in front of the position for each horse, and such arms shall be perpendicular to the rail.

Section 9. Malfunction of the Gate. Every licensed starter is required to check his starting gate for malfunctions before commencing any meeting and to practice the procedure to be followed in the event of a malfunction. Both the starter and the driver of the gate must know and practice emergency procedures, and the starter is responsible for the training of drivers in such procedures.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 10:40 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:070)

RELATES TO: KRS 230.630 (1), (3); 230.640; 230.700; 230.710

PURSUANT TO: KRS 13.082, 230.630 (3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 17)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to set out the requirements of and to provide for the licensing of owners, trainers, drivers, grooms and agents.

Section 1. Owners. Every person owning a horse that is entered at a race meeting licensed by the commission shall be required to obtain a license from the commission and the United States Trotting Association. Said application shall be on forms provided by the commission and shall be filed at any commission office. Such license shall be presented to the clerk of the course at the time said horse is entered in a race.

Section 2. Driver's Application for License. Every person desiring to drive a harness horse at a race meeting licensed by the commission shall be required to obtain a license from the commission and the United States Trotting Association. Such application shall be on forms provided by the commission. Applications may be filed at any commission office. Such license shall be presented to the clerk of course before driving. Pending a valid license by the United States Trotting Association, the commission may, at its discretion, issue a provisional or full driver's license to those who qualify as hereinafter set out.

Section 3. Qualification for a Provisional and/or Full Driver's License. (1) Every applicant for a provisional license to drive a harness horse at a race meeting licensed by the commission in addition to any other requirements mentioned herein shall:

- (a) Submit evidence of good moral character.
- (b) Submit evidence of his ability to drive in a race and, if he is a new applicant, this must include the equivalent of one (1) year's training experience.
- (c) Be at least eighteen (18) years of age.
- (d) Furnish a completed application form.
- (e) Submit satisfactory evidence of an eye examination indicating 20/40 corrected vision in both eyes, or if one eye blind, at least 20/30 corrected vision in the other eye; and, when requested, submit evidence of physical and mental ability and/or submit to a physical examination.
- (f) No person sixty (60) years of age or older who has never held any type of driver's license previously shall be issued a driver's license.
- (g) When requested, submit a written examination at a designated time and place to determine his qualifications to drive and his knowledge of racing and the rules. In addition, any driver who presently holds a license and wishes to obtain a license in a higher category, who has not previously submitted to such written test, shall be required to take a written test before becoming eligible to obtain a license in a higher category.
- (h) No applicant who has previously held any type of driver's license shall be subsequently denied a driver's license solely on the basis of age.

(2) A full license will be granted to an applicant who qualifies for a provisional license and has acquired:

- (a) At least one (1) year's driving experience while holding a provisional license from the United States Trotting Association.
- (b) Twenty-five (25) satisfactory starts in the calendar year preceding the date of his application at an extended pari-mutuel meeting.

(3) In the event any person is involved in an accident on the track, the commission may order such person to submit to a physical examination and such examination must be completed within thirty (30) days from such request or his license may be suspended until compliance therewith.

(4) All penalties imposed on any driver may be recorded on the reverse side of his commission driver's license by the presiding judge.

(5) The Kentucky Harness Racing Commission reserves the right to require any driver to take a physical examination at any time.

Section 4. Trainers' Application for License. An applicant for a license as trainer shall be licensed by the United States Trotting Association and must be at least eighteen (18) years of age and satisfy the commission that he possesses the necessary qualifications both mental and physical, to perform the duties required. Elements to be considered, among others, shall be character, reputation, temperament, experience, knowledge of the rules of racing and of the duties of a trainer in the preparation, training, entering and managing of horses for racing.

Section 5. Absence of Trainers. When any licensed trainer is absent from a racing meet for more than six (6) days, it shall be the duty of the trainer to appoint and have properly licensed a new trainer of record.

Section 6. Grooms' Application for License. An applicant

for a license as a groom must satisfy the commission that he possesses the necessary qualifications, both mental and physical to perform the duties required. Elements to be considered, among others, shall be character, reputation, temperament, experience, knowledge of the rules of racing and of the duties of a groom. No license shall be issued to applicants under sixteen (16) years of age.

Section 7. The holder of a license issued by the United States Trotting Association or a holder of a license issued by the Kentucky Harness Racing Commission for the prior year, may be presumed to be qualified to receive a license, all others must be tested by the deputy commissioner (supervisor of racing), his assistant, or agent of the commission, at such locations as shall be designated by the commission as to the capability of said applicant for a license to perform the functions required of him. Said tests shall be either in writing or by demonstrations or both and shall be administered in a uniform manner. The cost of said testing shall be borne by the applicant.

Section 8. The following shall constitute disorderly conduct and be reason for a fine, suspension, or revocation of an owner's, driver's, trainer's, or groom's license:

- (1) Failure to obey the judges' or other officials' orders that are expressly authorized by the rules of this commission.
- (2) Failure to drive when programmed unless excused by the judges.
- (3) Drinking intoxicating beverages within four (4) hours of the first post time of the programs on which he is carded to drive.
- (4) Appearing in the paddock in an unfit condition to drive.
- (5) Fighting.
- (6) Assaults.
- (7) Offensive and profane language.
- (8) Smoking on the track in colors during actual racing hours.
- (9) Warming up a horse prior to racing without colors.
- (10) Disturbing the peace.
- (11) Refusing to take a breath analyzer test when directed by the presiding judge, deputy commissioner (supervisor of racing), or assistant deputy commissioner (assistant supervisor of racing).

Section 9. Colors and Helmet. Drivers must wear distinguishing colors, and shall not be allowed to start in a race or other public performance unless in the opinion of the judges they are properly dressed. No one shall drive during the time when colors are required on a race track unless he is wearing a type of protective helmet, constructed with a hard shell, and containing adequate padding and a chin strap in place.

Section 10. Misconduct in Colors. Any driver wearing colors who shall appear at a betting window or at a bar or in a restaurant dispensing alcoholic beverages shall be fined not to exceed \$100 for each such offense.

Section 11. Driver Change. No driver can, without good and sufficient reasons, decline to be substituted by the judges. Any driver who refuses to be so substituted may be fined or suspended, or both by order of the judges.

Section 12. Amateur Definition. An amateur driver is one who has never accepted any valuable consideration by way of or in lieu of compensation for his services as a trainer or driver during the past ten (10) years.

Section 13. Registered Colors. Drivers holding an "A" license or drivers with a "V" license who formerly held an "A" license, shall register their colors with the United States Trotting Association. Registered stable or corporations may register their racing colors with the United States Trotting Association.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:40 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:075)

RELATES TO: KRS 230.630(1), (3); 230.640
PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)
SUPERSEDES: KTC 1-8 (Rule 18)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate racing; track rules and proper conduct.

Section 1. Although a leading horse is entitled to any part of the track, except after selecting his position in the home stretch, neither the driver of the first horse or any other driver in the race shall do any of the following things, which shall be considered violation of driving rules:

(1) Change either to the right or left during any part of the race when another horse is so near him that in altering his position he compels the horse behind him to shorten his stride, or causes the driver of such other horse to pull him out of his stride.

(2) Jostle, strike, hook wheels, or interfere with another horse or driver.

(3) Cross sharply in front of a horse or cross over in front of a field of horses in a reckless manner, endangering other drivers.

(4) Swerve in and out or pull up quickly.

(5) Crowd a horse or driver by "putting a wheel under him."

(6) "Carry a horse out" or "sit down in front of him," take up abruptly in front of other horses so as to cause confusion or interference among the trailing horses, or do any other act which constitutes what is popularly known as helping.

(7) Let a horse pass inside needlessly.

(8) Laying off a normal pace and leaving a hole when it is well within the horse's capacity to keep the hole closed.

(9) Commit any act which shall impede the progress of another horse or cause him to "break."

(10) Change course after selecting a position in the home stretch and swerve in or out, or bear in or out, in such manner as to interfere with another horse or cause him to change course or take back.

(11) To drive in a careless or reckless manner.

(12) Whipping under the arch of the sulky, the penalty for which shall be no more than ten (10) days suspension.

(13) Drivers must set or maintain a pace comparable to the class in which they are racing. Failure to do so by going an excessively slow quarter or any other distance that changes the normal pattern, overall timing, or general outcome of the race will be considered a violation of this section and the judges may impose a penalty which can be a fine, suspension, or both.

Section 2. Complaints, Reports of Interference. (1) Complaints. All complaints by drivers of any foul driving or other misconduct during the heat must be made at the termination of the heat, unless the driver is prevented from doing so by an accident or injury. Any driver desiring to enter a claim of foul or other complaint of violation of the rules, must before dismounting indicate to the judges or barrier judge his desire to enter such claim or complaint and forthwith upon dismounting shall proceed to the telephone or judges' stand where and when such claim, objection, or complaint shall be immediately entered. The judges shall not cause the official sign to be displayed until such claim, objection, or complaint shall have been entered and considered.

(2) Report of Interference. It is the duty of every driver to report to the official designated for such purpose as promptly after the conclusion of a race in which he has participated as possible, any material interference to himself or his horse by another horse or driver during a race. Failure to report such interference may be the subject of disciplinary action.

Section 3. If any of the above violations are committed by a person driving a horse coupled as an entry in the betting, the judges shall set both horses back, if, in their opinion, the violation may have affected the finish of the race. Otherwise, penalties may be applied individually to the drivers of any entry.

Section 4. In case of interference, collision, or violation of any of the above restrictions, the offending horse may be placed back one (1) or more positions in that heat or dash, and in the event such collision or interference prevents any horse from finishing the heat or dash, the offending horse may be disqualified from receiving any winnings; and the driver may be fined not to exceed the amount of the purse or stake contended for, or may be suspended or expelled. In the event a horse is set back, under the provisions hereof, he must be placed behind the horse with whom he interfered.

Section 5. Unsatisfactory Drive; Fraud. (1) Every heat in a race must be contested by every horse in the race and every horse must be driven to the finish. If the judges believe that a horse is being driven, or has been driven, with design to prevent his winning a heat or dash which he was evidently able to win, or is being raced in an inconsistent manner, or to perpetrate or to aid a fraud, they shall consider it a violation and the driver and anyone in concert with him, to so affect the outcome of the race or races, may be fined, suspended or expelled. The judges may substitute a competent and reliable driver at any time. The substitute drive shall be paid at the discretion of the judges and the fee retained from the purse money due the horse, if any.

(2) In the event a drive is unsatisfactory due to lack of effort or carelessness, and the judges believe that there is no fraud, gross carelessness, or a deliberate inconsistent drive they may impose a penalty under this subsection not to exceed ten (10) days suspension or a \$100 fine.

Section 6. If in the opinion of the judges a driver is for any reason unfit or incompetent to drive or refuses to comply with the directions of the judges, or is reckless in his conduct and endangers the safety of horses or other drivers in the race, he may be removed and another driver substituted at any time after the positions have been assigned in a race, and the offending driver shall be fined, suspended or expelled. The substitute driver shall be properly compensated.

Section 7. If for any cause other than being interfered with or broken equipment, a horse fails to finish after starting in a heat, that horse shall be ruled out.

Section 8. Loud shouting or other improper conduct is forbidden in a race. After the word "go" is given, both feet must be kept in the stirrups until after the finish of the race.

Section 9. Drivers will be allowed whips not to exceed four (4) feet eight (8) inches, plus a snapper not longer than eight (8) inches.

Section 10. The use of any goading device, chain or mechanical devices or appliances, other than the ordinary whip or crop upon any horse in any race shall constitute a violation of this rule.

Section 11. The brutal use of a whip or crop or excessive or indiscriminate use of the whip or crop shall be considered a violation and shall be punished by a fine of not to exceed \$100 or suspension. A driver may use a whip only in the conventional manner. Welts, cuts, or whip marks on a horse resulting from whipping shall constitute a prima facie violation of this section. Drivers are prohibited from whipping under the arch of the sulky, kicking, punching or jabbing a horse, or using the whip so as to interfere with or cause disturbance to any other horse or driver in a race. Violation of this rule shall be punished by a fine not to exceed \$100 or suspension.

Section 12. No horse shall wear hobbles in a race unless he starts in the same in the first heat, and having so started, he shall continue to wear them to the finish of the race, and any person found guilty of removing or altering a horse's hobbles during a race, or between races, for the purpose of fraud, shall be suspended or expelled. Any horse habitually wearing hobbles shall not be permitted to start in a race without them except by permission of the judges. Any horse habitually racing free legged shall not be permitted to wear hobbles in a race except with the permission of the judges. No horse shall be permitted to wear a head pole protruding more than ten (10) inches beyond its nose.

Section 13. Breaking. (1) When any horse or horses break from their gait in trotting or pacing, their drivers shall at once where clearance exists, take such horse to the outside and pull it to its gait.

(2) The following shall be considered violation of subsection (1) above:

(a) Failure to properly attempt to pull the horse to its gait.

(b) Failure to take to the outside where clearance exists.

(c) Failure to lose ground by the break.

(3) If there has been no failure on the part of the driver in complying with subsection (2) above, the horse shall not be set back unless a contending horse on his gait is lapped on the hind quarter of the breaking horse at the finish.

(4) The judges may set any horse back one (1) or more places if in their judgment any of the above violations have been committed.

Section 14. If in the opinion of the judges, a driver allows his horse to break for the purpose of fraudulently losing a heat, he shall be liable to the penalties elsewhere provided for fraud and fouls.

Section 15. To assist in determining the matters contained in Sections 13 and 14, it shall be the duty of one of the judges to call out every break made, and the clerk shall at once note the break and character of it in writing.

Section 16. The time between separate heats of a single race shall be no less than forty (40) minutes. No heat shall be called after sunset where the track is not lighted for night racing. The time between races shall not exceed thirty (30) minutes.

Section 17. Horses called for a race shall have the exclusive right of the course, and all other horses shall vacate the track at once, unless permitted to remain by the judges.

Section 18. In the case of accidents, only so much time shall be allowed as the judges may deem necessary and proper.

Section 19. A driver must be mounted in his sulky at the finish of the race or the horse must be placed as not finishing.

Section 20. It shall be the responsibility of the owner and trainer to provide every sulky used in a race with uni-colored or colorless wheel discs on the inside and outside of the wheel of a type approved by the commission. In his discretion, the presiding judge may order the use of mud guards.

Section 21. Sulky. Only sulkies of the conventional dual-shaft and dual-hitch type as hereinafter described shall be permitted to be used in any races. A conventional type sulky is one having two (2) shafts which must be parallel to, and securely hitched on each side of the horse. No point of hitch or any part of a shaft shall be above a horizontal level equal to the lowest point of the horse's back.

Section 22. Repeated Violations. Repeated rule violations shall be considered grounds for refusal to grant or grounds for revocation of any driver's license.

Section 23. Any violation of any sections of this regulation, unless otherwise provided, may be punished by a fine or suspension, or both, or by expulsion.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:40 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION
Kentucky Harness Racing Commission
(811 KAR 1:080)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 19)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate the conditions, placing and money distribution.

Section 1. Unless otherwise provided in the conditions, all purses shall be distributed on the dash basis with the money awarded according to a horse's position in each separate dash or heat of the race. Purse money distribution in overnight events shall be limited to five (5) monies.

Section 2. Dashes. (1) Except in the case of stakes or futurities (811 KAR 1:040), unless otherwise specified in the conditions, the money distribution in dashes shall be in the following percentages: forty-five (45), twenty-five (25), fifteen (15), ten (10) and five (5).

(2) In early closing races, late closing races or added money events, if there are less than five (5) starters, the remaining premium shall go to the race winner unless the conditions call for a different distribution.

(3) In overnight events if there are less than five (5) starters the premium for the position for which there are no starters may be retained by the track.

(4) If there be any premium or premiums for which horses have started but were unable to finish, due to an accident, all unoffending horses who did not finish will share equally in such premium or premiums.

(5) If there be any premium or premiums for which horses have started but were unable to finish and the situation is not covered by the subsection (4), such premium shall be paid to the winner.

Section 3. Every Heat a Race. The purse shall be distributed as in dash races with nothing set aside for the race winner.

Section 4. Placing System. If the placing system is specified in the conditions, the purse shall be distributed according to the standing of the horses in the summary. In order to share in the purse distribution, each horse must complete the race and compete in each heat to which he is eligible. A horse must win two (2) heats to be declared the race winner and such horse shall stand first in the summary. In deciding the rank of the horses other than the race winner, a horse that has been placed first in one (1) heat shall be ranked better than any other horse making a dead heat for first or any horse that has been placed second any number of heats. A horse that has been placed second in one (1) heat shall be ranked better than any other horse that has been placed third any number of heats, etc. (e.g., a horse finishing 3-6 would be ranked ahead of another horse finishing 4-4.) A horse finishing in a dead heat would be ranked below another horse finishing in the same position and not in a dead heat. If there be any premium for which no horse maintained a position, it shall go to the race winner, but the number of premiums awarded need not exceed the number of horses that started in the race. Unless otherwise specified in the conditions, the money shall be divided in the following percentages: fifty (50), twenty-five (25), twelve (12), eight (8), and five (5).

Section 5. Two-In-Three. In a two-in-three race, a horse must win two (2) heats to win the race, and there shall be ten (10) percent set aside for the race winner. The purse shall be divided and awarded according to the finish in each of the first two (2) or three (3) heats, as the case may be. If the race is unfinished at the end of a third heat, all but the heat winners or horses making a dead heat for first shall be ruled out. The fourth heat, when required, shall be raced for the ten (10) percent set aside for the winner. If there be any third or fourth premiums, etc., for which no horse has maintained a specific place, the premium therefor shall go to the winner of that heat, but the number of premiums distributed need not exceed the number of horses starting in the race. In a two-year-old race, if there are two (2) heat winners and they have made a dead heat in the third heat, the race shall be declared finished and the horse standing best in the summary shall be awarded the ten (10) percent. If the two (2) heat winners make a dead heat and stand the same in the

summary, the ten (10) percent shall be divided equally between them.

ADOPTED: April 4, 1975
 APPROVED: ELIJAH M. HOGGE, Secretary
 RECEIVED BY LRC: April 10, 1975 at 11:41 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
 Kentucky Harness Racing Commission
 (811 KAR 1:085)

RELATES TO: KRS 230.630(1), (3); 230.640
 PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)
 SUPERSEDES: KTC 1-8 (Rule 20)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate the conduct of racing.

Section 1. No owner, trainer, driver, attendant of a horse, or any other person shall use improper language to an official or member or employee of the commission, or be guilty of any improper conduct toward such officers or judges, or persons serving under their orders.

Section 2. No owner, trainer, driver or attendant of a horse, or any other person, at any time or place shall commit an assault, or an assault and battery, upon any driver who shall drive in a race, or shall threaten to do bodily injury to any such driver or shall address to such driver language outrageously insulting.

Section 3. If any owner, trainer, or driver of a horse shall threaten or join with others in threatening not to race, or not to race in, because of the entry or a certain horse or horses, or a particular stable, thereby compelling or trying to compel the race secretary to reject certain eligible entries it shall be immediately reported to the commission and the offending parties may be suspended pending a hearing, and thereafter if said action was unjustified.

Section 4. No owner, agent, or driver, who has entered a horse shall thereafter demand of the track a bonus of money or other special award or consideration as a condition for starting the horse.

Section 5. No owner, trainer or driver of a horse shall bet or cause any other person to bet on his behalf on any other horse in any race in which there shall start a horse owned, trained or driven by him, or which he in anywise represents or handles or in which he has an interest. No such person shall participate in exacta, quinella or other multiple pool wagering on a race in which such horse starts other than the daily double.

Section 6. Duty to Report Fraudulent Proposal. If any person shall be approached with any offer or promise of a bribe, or a wager or with a request or suggestion for a bribe, or for any improper, corrupt or fraudulent act in relation to racing, or that any race shall be conducted otherwise than fairly and honestly, it shall be the duty of such person to report the details thereof immediately to the presiding judge.

Section 7. Any misconduct on the part of a licensee fraudulent in its nature or injurious to the character of the turf, although not specified in these rules, is forbidden. Any person or persons who, individually or in concert with one another, shall fraudulently and corruptly, by any means affect or attempt to affect the outcome of any race or affect or attempt to affect a false registration or commit any other act injurious to the sport, shall be guilty of a violation.

Section 8. If two (2) or more persons shall combine and confederate together in any manner, regardless of where the said persons may be located, for the purpose of violating any of these rules and regulations and shall commit some act in furtherance of said purpose and plan, it shall constitute a conspiracy and a violation.

Section 9. In any case where an oath is administered by judges, representative of the commission, or a notary public, or any other person legally authorized to administer oaths, if the party knowingly swears falsely or withholds information pertinent to the investigation, he shall be fined, suspended, or both, or expelled.

Section 10. Financial Responsibility. Any participant who shall accumulate unpaid obligations, or default in obligations, or issue drafts or checks that are dishonored, or payment refused, or otherwise display financial irresponsibility reflecting on the sport, may be denied a license or may be suspended by the commission.

Section 11. Nerved Horses. All horses that have been nerved shall be so designated on the United States Trotting Association registration certificate and the eligibility certificate and be certified by a practicing veterinarian. It

is the responsibility of the owner of the horse at the time the horse is nerved to see that this information is placed on the registration certificate and the eligibility certificate. All horses that have been nerved prior to the adoption of this rule must also be certified and it will be the responsibility of the owner or trainer of such horse to see that such information is carried on the registration certificate. No trainer or owner will be permitted to enter or start a horse that is high nerved. Low nerved horses may be permitted to start providing this information is published on the bulletin board in the racing secretary's office.

Section 12. Spayed Mares. The fact that a mare has been spayed must be noted on the registration certificate, the eligibility certificate and any program when such mare races. It shall be the owner's responsibility to report the fact that the mare has been spayed to the United States Trotting Association and return its papers for correction.

Section 13. Any violation of any of the provisions of this rule shall be punishable by a fine, suspension or both, or by expulsion.

Section 14. No owner, trainer, driver, attendant or other person representing a horse which has previously tested positive for Equine Infectious Anemia shall knowingly cause said horse to be declared into any race; and no owner, trainer, driver, attendant or other person shall seek to bring about the transfer of such a horse without first notifying the prospective purchaser or transferee of the fact that the horse had previously tested positive for Equine Infectious Anemia.

ADOPTED: April 4, 1975
 APPROVED: ELIJAH M. HOGGE, Secretary
 RECEIVED BY LRC: April 10, 1975 at 11:41 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
 Kentucky Harness Racing Commission
 (811 KAR 1:090)

RELATES TO: KRS 230.630(1), (3); 230.640; 230.700
 PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)
 SUPERSEDES: KTC 1-8 (Rule 21)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to provide for the testing of horses for stimulants and drugs and the regulation of stimulants and drugs.

Section 1. (1) At every meeting except as stated herein where pari-mutuel wagering is permitted, the winning horse in every heat and/or race and the winning horse and second place horse in every perfecta race shall be subjected to a urine test for the purpose of determining thereby the presence of any drug, stimulant, sedative, depressant, or medicine. In addition, the judges at any meeting may order any other horse in any heat or race to be subjected to the urine test or any other test for the purpose of determining thereby the presence of any drug, stimulant, sedative, depressant or medicine. Also, the judges may order any horse in a race to be subjected to a urine, blood and/or saliva test. At all extended pari-mutuel meetings at least fifty (50) percent of the horses subjected to a urine test shall be given a blood test. Such horses to be selected by the presiding judge by lot. Such tests shall be made only by qualified veterinarians and by laboratories designated by the commission. In addition to the above, the winning horse and second horse in every heat or dash of a race at any track with a total purse in excess of \$5,000 shall be subjected to both blood and a urine test. However, such blood test shall be counted in determining the fifty (50) percent required above.

(2) The commission may, in its discretion, or at the request of a member, authorize or direct a saliva, blood, urine or other test of any horse racing at any meeting.

Section 2. (1) During the taking of the blood and/or urine sample by the veterinarian, the owner, trainer or authorized agent may be present at all times. Samples so taken shall be placed in two (2) containers and shall immediately be sealed and the evidence of such sealing indicated thereon by the signature of the representative of the owner or trainer. One part of the sample is to be placed in a depository under the supervision of the presiding judge and/or any other agency the commission may designate to be safeguarded until such time as the report on the chemical analysis of the other portion of the split sample is received.

(2) Should a positive report be received, an owner or trainer shall have the right to have the other portion of the split sample inserted in with a subsequent group being sent for testing or may demand that it be sent to another chemist for analysis, the cost of which will be paid by the party requesting the test.

Section 3. (1) Whenever there is a positive test finding the presence of any drug, stimulant, sedative or depressant present, in the post-race test, the laboratory shall immediately notify the presiding judge who shall immediately report such findings to the commission.

(2) When a positive report is received from the laboratory by the presiding judge, the persons held responsible shall be notified and a thorough investigation shall be conducted by or on behalf of the judges. A time shall be set by the judges for a hearing to dispose of the matter. The time set for the hearing shall not exceed four (4) racing days after the responsible persons were notified. The hearing may be continued, if in the opinion of the judges, circumstances justify such action.

(3) Should the chemical analysis of saliva, blood, urine or other sample of the post-race test taken from a horse indicate the presence of a forbidden narcotic, stimulant, depressant, or local anesthetic, it shall be considered prima facie evidence that such has been administered to the horse. The trainer and any other person or persons who may have had the care of, or been in attendance of the horse, or are suspected of causing such condition shall be immediately stopped from participating in racing by the judges and shall remain inactive in racing pending the outcome of a hearing.

Section 4. Any person or persons who shall administer or influence or conspire with any other person or persons to administer to any horse any drug, medicament, stimulant, depressant, narcotic or hypnotic to such horse within forty-eight (48) hours of his race, shall be subject to penalties provided in this rule.

Section 5. Whenever the post-race test or tests prescribed in Section 1 disclose the presence in any horse of any drug, stimulant, depressant or sedative, in any amount whatsoever, it shall be presumed that the same was administered by the person or persons having control and/or care and/or custody of such horse with the intent thereby to affect the speed or condition of such horse and the result of the race in which it participated.

Section 6. A trainer shall be responsible at all times for the condition of all horses trained by him. No trainer shall start a horse or permit a horse in his custody to be started if he knows, or if by the exercise of reasonable care he might have known or have cause to believe, that the horse has received any drug, stimulant, sedative, depressant, medicine or other substance that could result in a positive test. Every trainer must guard or cause to be guarded each horse trained by him in such manner and for such period of time prior to racing the horse so as to prevent any person not employed by or connected with the owner or trainer from administering any drug, stimulant, sedative, depressant, or other substance resulting in a post-race positive test.

Section 7. Any owner, trainer, driver or agent of the owner, having the care, custody and/or control of any horse who shall refuse to submit such horse to a saliva test or other tests as herein provided or ordered by the judges shall be guilty of a violation of this rule. Any horse that refuses to submit to a pre-race blood test shall be required to submit to a post-race saliva and urine test regardless of its finish.

Section 8. Any horse in which an offense was detected under any section of this rule shall be placed last in the order of finish and all winnings of such horse shall be forfeited and paid over to the commission for redistribution among the remaining horses in the race entitled to same. No such forfeiture and redistribution of winnings shall affect the distribution of the pari-mutuel pools at tracks where pari-mutuel wagering is conducted, when such distribution of pools is made upon the official placing at the conclusion of the heat or dash.

Section 9. Pre-Race Blood Test. Where there is a pre-race blood test which shows that there is an element present in the blood indicative of a stimulant, depressant or any unapproved medicament, the horse shall immediately be scratched from the race and an investigation conducted by the officials to determine if there was a violation of Section 4.

Section 10. Hypodermic Syringe Prohibited. No person except a licensed veterinarian approved by the commission shall have within the grounds of a licensed harness race track in or upon the premises which he occupies, or has a right to occupy, or in his personal property or effects any hypodermic syringe, hypodermic needle, or other devices which can be used for the injection or other infusion into a horse of a drug, stimulant or narcotic. Every licensed harness racing association upon the grounds of which horses are lodged or kept, is required to use all reasonable effort to prevent violation of this rule.

Section 11. (1) All veterinarians practicing on the grounds of an extended pari-mutuel meeting shall keep a log of their activities including:

- (a) Name of horse.
- (b) Nature of ailment.
- (c) Type of treatment.
- (d) Date and hour of treatment.

(2) It shall be the responsibility of the veterinarian to report to the presiding judge any internal medication given by him by injection or orally to any horse after he has been declared to start in any race.

Section 12. (1) Any veterinarian practicing veterinary medicine on a race track where a race meeting is in progress or any other person using a needle or syringe shall use only one-time disposable type needles and a disposable needle shall

not be reused. The disposable needles shall be kept in his possession until disposed of by him off the track.

(2) No veterinarian, assistant veterinarian or employee of same shall leave a needle or syringe with anyone on a race track where a race meeting is in progress except upon written authorization from the commission.

Section 13. The penalty for violation of any sections of this rule, unless otherwise provided, shall be a fine of not to exceed \$5,000, suspension for a fixed or indeterminate time, or both; or expulsion.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:42 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:095)

RELATES TO: KRS 230.630(1), (3); 230.640; 230.720

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 22)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to provide for fines, suspensions, expulsions and the effect thereof.

Section 1. Fines; Suspension Until Paid. All persons who have been fined under these rules shall be suspended until said fine has been paid in full.

Section 2. Payment of Fines. Payment of a fine directly or indirectly by a person other than the person upon whom it is imposed is prohibited and will be unacceptable to the commission.

Section 3. Recording and Posting Penalties. Written or printed notice thereof shall be delivered to the person penalized, notice shall be posted immediately at the office of the track, and notice shall be forwarded immediately to the office of this commission by the presiding judge or clerk of the course.

Section 4. Effect of Minor Penalty on Future Engagements. Where the penalty is for a driving violation and does not exceed in time a period of five (5) days, the driver may complete the engagement of all horses declared in before the penalty becomes effective. Such driver may drive in stake, futurity, early closing and feature races, during a suspension of five (5) days or less but the suspension will be extended one (1) day for each date he drives in such a race.

Section 5. Effect of Suspension Penalty. Whenever the penalty of suspension is prescribed in these rules it shall be construed to mean an unconditional exclusion and disqualification from the time of receipt of written notice of suspension from any participation either directly or indirectly, in the privileges and uses of the course and grounds of a track during the progress of a race meeting, unless otherwise specifically limited when such suspension is imposed, such as a suspension from driving. A suspension or expulsion of either a husband or wife shall apply in each instance to both the husband and wife. The suspension becomes effective when notice is given unless otherwise specified. A person may be suspended or expelled under this rule if it is determined that such person's spouse would be denied upon application, and the commission reserves the right to require such person's spouse to complete and submit an application in order to make such determination.

Section 6. Effect of Penalty on Horse. No horse shall have the right to compete while owned or controlled wholly or in part by a suspended, expelled, disqualified or excluded person. An entry made by or for a person or of a horse suspended, expelled or disqualified, shall be held liable for the entrance fee thus contracted without the right to compete unless the penalty is removed. A suspended, disqualified or excluded person who shall drive, or a suspended or disqualified horse which shall perform in a race shall be fined not less than fifty dollars (\$50) nor more than \$100 for each offense.

Section 7. Fraudulent Transfer. The fraudulent transfer of a horse by any person or persons under suspension or to whom a notice of a hearing, a show cause order or a citation has been issued, in order to circumvent said suspension, shall constitute a violation.

Section 8. Suspended Person. Any track willfully allowing a suspended, disqualified or excluded person to drive in a race, or a suspended or disqualified horse to start in a race or a performance against time, after notice, shall be together with its officers, subject to a fine not exceeding \$100 for each offense, or suspension or expulsion.

Section 9. Any track willfully allowing the use of its

track or grounds by an expelled or unconditionally suspended may or horse, after notice, shall together with its officers, be subject to a fine not exceeding \$500 for each offense, or suspension or expulsion.

Section 10. Whenever a person is excluded from a pari-mutuel track by the track, the commission shall be notified.

Section 11. An expelled, suspended, disqualified or excluded person cannot act as an officer of a track. A track shall not, after receiving notice of such penalty, employ or retain in its employ an expelled, suspended, disqualified or excluded person at or on the track during the progress of a race meeting. Any track found violating this rule shall be fined not to exceed \$500.

Section 12. All penalties imposed by the United States Trotting Association or the racing commissions of the various states shall be recognized and enforced by the commission unless application is made for a hearing before the commission wherein the applicant must show cause as to why such penalty should not be enforced against him in this state.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:42 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:100)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 23)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate protests and the effect of protests.

Section 1. Protests. Protests may be made only by an owner, manager, trainer or driver of one (1) of the contending horses, at any time before the winnings are paid over, and shall be reduced to writing, and sworn to, and shall contain at least one (1) specific charge, which, if true, would prevent the horse from winning or competing in the race.

Section 2. The judges shall in every case of protest demand that the driver, and the owner or owners, if present, shall immediately testify under oath; and in case of their refusal to do so, the horse shall not be allowed to start or continue in the race, but shall be ruled out, with a forfeit of entrance money.

Section 3. Unless the judges find satisfactory evidence to warrant excluding the horse, they shall allow him to start or continue in the race under protest, and the premium, if any is won by that horse, shall be forthwith transmitted to the commission to allow the parties interested an opportunity to sustain the allegation of the protest.

Section 4. Any person found guilty of protesting a horse falsely and without cause, or merely with intent to embarrass a race, shall be punished by a fine not to exceed \$250 or by suspension or expulsion.

Section 5. Nothing herein contained shall affect the distribution of the pari-mutuel pools at tracks where pari-mutuel wagering is conducted, when such distribution is made upon the official placing at the conclusion of the heat or dash.

Section 6. In case of an appeal or protest, the purse money affected will be deposited with the commission in trust funds pending the decision of the appeal.

Section 7. Any judge may be suspended for refusal to accept a protest.

Section 8. Failure to make a protest prior to the running of a race when the protestor has knowledge of the basis of a protest prior to the running of said race may constitute a waiver on the discretion of the judges or the commission if the protest would have prevented an ineligible horse from racing.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:34 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:105)

RELATES TO: KRS 230.630(1), (3); 230.640; 230.720; 230.730

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 24)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate reviews and appeals of the Commission and the Franklin Circuit Court.

Section 1. (1) If any person, licensee or association be aggrieved of any order of revocation, suspension, exclusion, ruling off, fine or other decision on ruling of the judges, such person, licensee or association may have a review of such ruling or decision by filing a written appeal with the commission not later than ten (10) days after such ruling or decision is made.

(2) An Appeal shall be addressed to the commission at its principal office and shall:

- (a) Set forth the decision or ruling of the judges complained of and the date when same was rendered; and
- (b) Request a specification of charges and reviewed by the commission of the charges upon which the action of the judges is based.

Section 2. (1) If the Chairman of the commission or deputy commissioner (supervisor of racing) has information that any licensee or other person has secured his license based on false or fraudulent statements or has violated any rules of the commission or the provisions of the Kentucky Revised Statutes, he shall have the authority to revoke or suspend the license of such licensee or other person; provided, however, that such licensee or other person may have a review of such action by filing a written appeal with the commission not later than ten (10) days after such action is taken.

(2) The appeal shall be addressed to the commission at its principal office and shall:

- (a) Set forth the decision, ruling or action of the chairman or deputy commissioner (supervisor of racing) complained of and the date when same was rendered; and
- (b) Request a specification of charges and review by the commission of the charges upon which the action of the chairman or deputy commissioner (supervisor of racing) was based.

Section 3. If the commission is of the opinion that any association, licensee or other person has violated any rules of the commission or the provisions of the Kentucky Revised Statutes, it shall have the authority to issue a citation against such association, licensee or other person directing him to appear and show cause why his license should not be suspended or revoked or he not be ruled off or fined in an amount commensurate with the offense. Such citation shall contain the following:

- (1) The rule or rules, or statute, alleged to have been violated and the time and place where such violation occurred;
- (2) The acts committed by the offending party upon which said violations are based; and
- (3) A full statement of charges preferred against the offending party.

Section 4. Notice of any commission hearing held under Sections 1, 2, and 3 or in any other instance, shall be served upon the offending or aggrieved party by registered mail directed to the last known address of such party. Such notice shall be in writing, shall fix the time and place of hearing and shall be issued and mailed not less than five (5) nor more than thirty (30) days before the date of such hearing.

Section 5. If notice is issued under Section 1, the same shall also contain a specification of the charges upon which the ruling or decision of the judges was based; or if issued under Sections 2 or 3, such notice shall set forth the information required thereunder.

Section 6. In all hearings before the commission, the chairman of the commission shall preside and shall determine the competence and order of the introduction of evidence. A hearing officer may be appointed by the chairman who shall cause a transcript of the testimony and his recommendations, to be filed with the commission for action by the commission. The aggrieved party shall have the right to appear in person and by counsel. At the conclusion of the hearing the commission shall take the case under advisement and shall, as promptly as may be reasonably possible, make known its decision, and should the order or decision of the judges, chairman of the commission or deputy commissioner (supervisor of racing) be sustained, the secretary of the commission (executive racing secretary) shall at once notify the aggrieved party of the commission's decision. In the event the commission finds that the aggrieved party was not guilty of any infraction or violation, the action of the judges shall be set aside and revoked, and the aggrieved party so notified.

Section 7. Stay of Enforcement. In the event a penalty is imposed by the officials, the chairman of the commission, the commission or the deputy commissioner (supervisor of racing) or his assistants may grant a stay of the enforcement of such penalty until an appeal, if filed, is decided. In certain circumstances described below, the commission will grant a

stay pending appeal to any person licensed by it who is affected by any decision of, or penalty imposed by an official or officials at a race meeting.

(1) Such a stay will be available in cases involving the loss of purse money of \$100 or more, or a fine of \$100 or more, or suspension of driving, or expulsion from the paddock or race-track grounds of more than five (5) days.

(2) The stay will begin when the person appealing files a "notice of appeal" and requests a stay on a form provided by the commission and security of not less than \$100, or as follows:

- (a) A filing shall be made at the commission's office, Lexington, Kentucky, or with its representative at the operating track within forty-eight (48) hours after the decision or penalty from which the appeal is taken.
 - (b) The "notice of appeal" and "request for stay" shall be sworn to and shall state the grounds for appeal.
 - (c) The security is \$100 unless the commission sets a higher security within forty-eight (48) hours of the filing. If a higher security is set, the stay will automatically terminate unless the excess over the \$100 is posted within twenty-four (24) hours of the notice of the higher security and has been received by the person appealing.
 - (d) Failure to sustain the appeal may cause forfeiture of the security to cover the costs of said appeal.
- (3) The commission reserves the right to hold as forfeit all or any part of the posted security if, in its considered opinion, the appeal was frivolous or without foundation.

Section 3. Witnesses for hearings may be subpoenaed by the chairman, vice-chairman, deputy commissioner (supervisor of racing) or hearing officer.

Section 9. All actions of the commission may be appealed to the Franklin Circuit Court by an aggrieved party within thirty (30) days pursuant to the Rules of Civil Procedure. No injunction or restraining order shall issue pending said appeal.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:43 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:110)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 25)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate timing of races and records.

Section 1. Timing Races. In every race, the time of each heat shall be accurately taken by three (3) timers or an approved electric timing device, in which case there shall be one timer, and placed in the record in minutes, seconds and fifths of seconds, and upon the decision of each heat, the time thereof shall be publicly announced or posted. No unofficial timing shall be announced or admitted to the record, and when the timers fail to act no time shall be announced or recorded for that heat.

Section 2. Error in Reported Time. In any case of alleged error in the record, announcement or publication of the time made by a horse, the time so questioned shall not be changed to favor said horse or owner, except upon the sworn statement of the judges and timers who officiated in the race.

Section 3. Track Measurement Certificate. In order that the performance thereon may be recognized and/or published as official every track not having done so heretofore and since January 1st, 1939, shall forthwith cause to be filed with the commission the certificate of a duly licensed civil engineer or land surveyor that he has subsequently to January 1st, 1939, measured the said track from wire to wire three (3) feet out from the pole or inside hub rail thereof and certifying in linear feet the result of such measurement. Each track shall be measured and recertified in the event of any changes or relocation of the hub rail.

Section 4. Time for Lapped on Break. The leading horse shall be timed and his time only shall be announced. No horse shall obtain a win race record by reason of the disqualification of another horse unless a horse is declared a winner by reason of the disqualification of a breaking horse on which he was lapped.

Section 5. Time for Dead Heat. In case of a dead heat, the time shall constitute a record for the horses making a dead heat and both shall be considered winners.

Section 6. Timing Procedure. The time shall be taken from

the first horse leaving the point from which the distance of the race is measured until the winner reaches the wire.

Section 7. Any person who shall be guilty of fraudulent misrepresentation of time or the alteration of the record thereof in any public race shall be fined, suspended or expelled, and the time declared not a record.

Section 8. Time Performances. Time performances are permitted subject to the following:

(1) Urine tests are required for all horses starting for a time performance.

(2) An approved electric timer is required for all time performances. In the event of a failure of a timer during the progress of a time performance, no time trial performance record will be obtained.

(3) Time trial performances are permitted only during the course of a regular meeting with the regular officials in the judges' stand. Time trial performances may be permitted by the commission immediately prior to or following a regularly scheduled meeting provided a full complement of licensed officials are in the judges' stand and provided a separate application is filed with the commission, thirty (30) days in advance, listing the officials and the number of days requested.

(4) Time trial performances are limited for two (2) year-olds who go to equal or to beat 2:10, and the three (3) year-olds and over who go to equal or beat 2:05.

(5) In any race or performance against time, excessive use of the whip shall be considered a violation.

(6) Any consignor, agent or sales organization or other person may be fined or suspended for selling or advertising a horse with a time trial record without designating it as a time trial.

(7) Time trial performance records shall not be included in the performance lines in a race program.

(8) Time trial performances shall be designated by preceding the time with two (2) capital T's.

(9) When a horse performs against time it shall be proper to allow another horse or horses to accompany him in the performance but not to precede or to be harnessed with or in any way attached to him.

(10) A break during a time trial is a losing effort and a losing performance shall not constitute a record.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:43 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:115)

RELATES TO: KRS 230.630(1), (3); 230.640; 230.680; 230.690

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 26), KTC 3-2

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate the licensing of associations and fees for licensing.

Section 1. An association desiring to conduct harness races may annually apply to the commission for a license. If in the judgment of the commission a proper case for issuance is shown, it may grant the license for a term of one (1) year. Every license shall contain a condition that all harness races or meetings conducted under it shall be subject to the regulations and conditions from time to time prescribed by the commission.

Section 2. A license shall be revocable by the commission for any violation of its rules or whenever the continuance of the license is deemed by the commission not conducive to the interests of legitimate racing subject to the provisions of 811 KAR 1:105. If an association's license is refused or revoked, the commission shall publicly state its reasons for the refusal or revocation and those reasons shall be written in full in the minute book of the commission. Failure to grant to any association a license for a harness meeting at the track of the association, and the revocation of the license of any association shall be subject to judicial review by the Franklin Circuit Court. No injunction or restraining order shall issue pending said appeal.

Section 3. All associations and tracks having gross wagering of less than an average of \$75,000 per day based on their prior year's average daily handle shall pay a daily licensing fee of \$125 to the Kentucky Harness Racing Commission for each day of racing. All tracks and associations having gross wagering of \$75,000 and above per day, based on their prior year's average daily handle shall pay a daily licensing fee of \$175 for each day of racing. In the event the commission allows two (2) racing programs on one (1) day, a separate daily fee for each racing program shall be paid (example: If an afternoon and evening program are scheduled the fee shall

be \$250 and \$350 respectively for that day).

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:44 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:120)

RELATES TO: KRS 230.630 (1), (3), 230.640, 230.680, 230.690

PURSUANT TO: KRS 13.082, 230.630 (3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 27)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate the licensing of race meetings.

Section 1. Application For License. Application for licenses to conduct harness racing meets shall be made on forms furnished by the commission. Such application shall be verified under oath.

Section 2. Information. The application shall contain the following information for commission approval:

(1) An inventory of all property owned or leased by the applicant in any manner connected with the race track at which the proposed meeting is to be held.

(2) A financial statement. A financial statement certified by a licensed certified public accountant, consisting of a balance sheet showing applicant's financial condition at the end of the last fiscal year, and a profit and loss statement for said year.

(3) Stockholders. A complete list of all stockholders holding any stock, if the applicant is a corporation, including the amount of the stock so held, the address of each stockholder and the amount and class of stock held by each stockholder; and if any stock is held in trust, the names, addresses, the amount and class of stock held by each beneficial owner thereof under said trust.

(4) The name and circumference of the race track.

(5) The seating capacity of the club house, grandstand, or other seating facilities.

(6) The parking and transportation facilities available to patrons.

(7) The stabling facilities available.

(8) The number of free drinking water fountains, public wash rooms and comfort stations available for patrons.

(9) First aid equipment available and number and character of first aid attendants.

(10) The fire-fighting equipment available.

(11) The track equipment available and minimum number of ground employees for operation of such equipment.

(12) Restaurant facilities available.

(13) The track measurements.

(14) The capacity of the paddock and location of stalls for saliva and other tests.

(15) Complete description of lighting system, if night racing is proposed.

(16) Name, address and experience of manager of pari-mutuel equipment, number of seller windows and cashier windows, minimum number of calculators.

(17) Name, address and experience of general manager.

(18) Name, address and experience of racing secretary.

(19) Minimum and maximum number of races per day, type of races, number of monies to be paid and percentage of payment in each race, entrance fee for overnight race. Type of photo finish and timing device used. Name of track superintendent. Total purse for meeting. Minimum purse per heat or race. Type of starting.

(20) The publicity and advertising intended, and the name and address of manager of the advertising department.

(21) The applicant's public liability insurance coverage and list of names and addresses of companies carrying the same.

(22) The schedule of admission charges.

Section 3. Time for filing applications. (1) All applications for licenses to conduct race meetings for each calendar year shall be filed with the commission not later than sixty (60) days prior to the commencement of said race meeting. However, under unusual conditions at the discretion of the commission, the commission may receive applications for licenses and act thereon at a date subsequent to the time heretofore determined by the provisions of this section to receive applications. In such event, if the license is granted, an applicant may at the commission's discretion be fined no more than \$100 per day for each day that said application is late.

(2) In the event said applicant after receipt of notice of approval of its application shall fail to comply with the above requirements within the period above fixed, the application for license of such applicant shall be considered withdrawn and of no effect.

Section 4. Application for Racing Dates. Each licensee

shall file an application for racing dates no later than the first day of November of the year immediately preceding said requested dates. The commission shall assign said dates within forty-five (45) days after the first day of November, unless it is impracticable to do so. The commission may increase or reduce the number of days applied for, or may assign different dates than those requested by the licensee.

Section 5. To conduct a race meeting under a license issued by the Kentucky Harness Racing Commission, the licensee shall at all times maintain a finished race track which meets the following requirements of the commission: Shall file with the commission a certificate of a duly licensed civil engineer or land surveyor that he has measured the said track from wire to wire, three (3) feet out from the pole or inside hub rail thereof and certifying in linear feet the result of such measurement.

Section 6. Wagering on Races Conducted Off of Premises. No licensee giving a race meeting under a license issued by the Kentucky Harness Racing Commission shall permit bets to be made on the grounds of said licensee on any race held outside of the grounds, and no foreign book or gambling device of any kind shall be permitted on said grounds.

Section 7. Bookmaking. Anyone guilty of making a handbook on the grounds of any licensee of the commission, shall be ejected from the grounds, and denied further admission thereto, and any owner, driver, or other person interested in any horse or horses at said meeting, who shall be guilty of betting with or through any such handbook, shall be ejected from the grounds or denied admission by the order of the judges, and/or licensee.

Section 8. Solicitation of Wagers. If any trainer, driver, stable employee or other person solicits bets from the public by correspondence, or other methods, to be made on the horses in any stable, such person or persons so offending shall be ruled off the course or denied admission by order of the judges, and/or licensee.

Section 9. Reciprocal Suspensions. No licensee shall permit any person who is under suspension by, or has been ruled off the member course by the United States Trotting Association, or by any state racing commission, to participate in any manner in a harness racing meet licensed by the commission, or in the conduct of such meet.

Section 10. Conditions of License. Imposed on each licensee of the Kentucky Harness Racing Commission is the duty of enforcing the rules and regulations imposed by the commission, the said rules and regulations being a condition under which the licenses are granted; the commission reserving the right to amend, alter or repeal any rule, regulation or condition herein imposed or to supplement said rules and regulations.

Section 11. Cash Balance, Surety Bond and Report.

(1) Financial Statements and Pari-Mutuel Manager. Every association licensed by the commission shall submit to the secretary of the commission (executive racing secretary) at least thirty (30) days before the beginning of each race meeting either a surety bond, approved by the commission, in the amount of \$50,000 or place in escrow in a Kentucky bank in favor of the commission in the amount of \$50,000 or a combination of a surety bond and cash escrow in the amount of \$50,000 subject to the commission's approval. Said bond and/or escrow shall obligate the association licensed by the commission to fulfill all the dates granted to them; confine the races or racing to the specific dates approved by the commission; comply with and perform the provisions and the undertaking set forth in the application made to the commission as finally approved; comply with the provisions of the by-laws and rules and regulations of the commission relating to the conduct of its said meeting and the races or racing on its tracks; discharge all of its obligations set forth in the granting of membership, assignment of dates and those imposed by the by-laws, rules and regulations as aforesaid relating to payment of membership dues, fines, claims and fees of the commission and the payment of any sums due or to become due to the horsemen entered and/or competing at said meeting primarily, and thereafter suppliers and shall submit, without reservation, to the jurisdiction of the Kentucky State and Federal Courts in the district within which is located the principal office of the commission to the end that any action at law or in equity to enforce any rights and/or obligations based on, or arising from or growing out of this bond shall be confined to the jurisdiction of said courts, and shall appoint and designate their agent to accept service of any notice or legal process attending the enforcement of any such rights or obligations, the Secretary of State, of the State of Kentucky.

(2) Bond and/or escrow shall remain in full force and effect at least sixty (60) days and until the Commission notifies the principal and surety or the escrow agent that the association licensed by the commission has duly complied with all of the requirements set out in said bond or escrow agreement.

(3) A specimen of the bond required by the commission is as follows:

KNOW ALL MEN BY THESE PRESENTS:

That _____

principal and _____

surety, are well and firmly bound unto the Kentucky Harness Racing Commission in the sum of \$50,000 to be paid to the said Kentucky Harness Racing Commission, its successors or assigns; to which payment principal and truly to be made and done, we and each of us, principal and surety, jointly and severally, do bind ourselves, our successors and assigns, and every one of them, firmly and by these presents. Sealed with our seals and dated the _____ of _____, 19____.

THE CONDITION OF THIS OBLIGATION IS SUCH

THAT if the above bounden _____, its successors or assigns, or any of them, shall and do well and truly fulfill all of the racing dates in the year _____ granted them by membership in the Kentucky Harness Racing Commission, barring an act of God or catastrophe beyond control; confine the races or racing to the specific dates approved by the Kentucky Harness Racing Commission; comply with and perform the provisions and the undertaking set forth in the application made to the Kentucky Harness Racing Commission, as finally approved; comply with the provisions of the By-Laws and Rules and Regulations of the Kentucky Harness Racing Commission relating to the conduct of its said meeting and the races or racing on its tracks; discharge all of its obligations set forth in the granting of membership, assignment of dates, and those imposed by the By-Laws, Rules and Regulations as aforesaid relating to payment of membership dues, fines, claims and fees of the said Kentucky Harness Racing Commission and the payment of any sums due or to become due to the horsemen entered and/or competing at said meeting primarily and hereafter suppliers, then this obligation is to be void, otherwise to remain in full and effect.

And further, we and each of us, principal and surety, do hereby submit, without reservation, to the jurisdiction of the Kentucky State and Federal Courts in the district within which is located the principal office of the Kentucky Harness Racing Commission to the end that any action at law or in equity to enforce any rights, and/or obligations based on, or arising from, or growing out of this Bond shall be confined to the jurisdiction of said courts. And we, principal and surety, do hereby appoint and designate as agent for us, and each of us, to accept service of any notice of legal process attending the enforcement of any such rights or obligations, the Secretary of State, of the State of Kentucky.

Witness our hand and seal this _____ day of _____, 19____.

Principal: _____

By: _____

Surety: _____

By: _____

(4) Each association licensed by the commission shall submit to the commission at the beginning of each week, during its meeting, a sworn statement attesting that all operating expenses already incurred have been paid or provided for.

Section 12. Commission Office. Each licensee shall provide suitable facilities for the commission in the conduct of its business. Failure to do so within ten (10) days after written notification by the commission setting out the deficiencies of said facilities, shall subject said licensee of a fine up to \$250 per day for each day that suitable facilities are not thereafter provided.

Section 13. Policing of Premises. The licensee shall provide a sufficient number of guards and watchmen to maintain order on all parts of the racing enclosure, and no tipster shall be allowed on any part of the licensed premises, and no groom or stable attendant, shall loiter in the betting ring or any place else with the evident intention of engaging in tipping for any remuneration or for nothing, and anyone so found shall be immediately escorted to the general manager of the licensee and his license shall be taken up, and the licensee shall thereafter exclude said person from the licensed premises.

Section 14. Supervision of Peddlers. The licensee shall supervise the practice and methods of so-called merchandise peddlers who may have entry to the track enclosure. Such supervision shall be extended to any other stables where horses are lodged which may be eligible to race at said meeting. However, the licensee shall not by virtue of this rule or otherwise restrict the open purchasing or attempt to control or monopolize said business or proper selling of merchandise to owners, trainers, or stable employees.

Section 15. Drinking Fountains and Rest Rooms. The licensee shall furnish an adequate number of free drinking water fountains, comfort stations, and wash rooms throughout its grounds and buildings for the use of the public.

Section 16. Stabling of Horses. Any horse racing at a licensed meeting must be stabled within the confines of that track; provided, however, in case of necessity such a horse may be stabled within the confines of an adjacent Kentucky race track, or in another location approved by the commission. The licensee holding the race meeting shall provide for temporary stabling of horses, eligible to race, which are brought to the races from approved outside stable space.

Section 17. Watchmen in Stable Area. Each licensee shall maintain and furnish complete and adequate watchman service night and day in and about all stable enclosures.

Section 18. Duties of Watchmen. (1) Watchmen so employed shall be individually responsible for the certain part of the stable enclosure where they are on duty and shall immediately investigate and report the presence of anyone during the night or day who may be within said stable enclosure without possessing proper credentials.

(2) A letter of instructions to all watchmen shall be addressed to each of them by the licensee, covering fully their duties and their strict obligation to keep stable enclosures free from outsiders and hangers on, and a copy thereof furnished to the commission.

Section 19. Stable Enclosures Fenced. All such stable enclosures must be properly fenced and admission granted only on proper license or credentials actually shown to the gatemen. This rule may be waived with commission approval.

Section 20. Betting by Commission Employees. Betting by commission employees and racing officials is prohibited.

Section 21. Betting by Paddock Employees. Any track employee working in the paddock area is not allowed to bet or pass information to outsiders for betting purposes.

Section 22. Accepted Conditions of Race Meetings.

(1) Bind Upon Licensees. The commission, recognizing the necessity of an association to comply with the requirements of its license and to fulfill its obligation to the public and the Commonwealth of Kentucky with the best possible uninterrupted services, in the comparatively short licensed period, herein provides that all associations, officials, horsemen, owners, veterinarians, trainers, drivers, grooms, farriers, registered employees, and all licensees, who have accepted directly or indirectly, with reasonable advance notice, the conditions under which said association engages and plans to conduct such race meeting, shall be bound thereby.

(2) Notice to Commission Of Intent To Terminate. Any association, officials, horsemen, owners, trainers, drivers, grooms, veterinarians, farriers, registered employees, and all licensees who so accept such conditions shall, before they terminate or discontinue their employment, engagements or activities, give the commission and the association with whom they are engaged, at least fifteen (15) days' notice in writing of their intentions to terminate or discontinue their employment, engagements or activities under such conditions. The commission may upon notice to all parties of interest, conduct a hearing or hearings with respect to any termination or discontinuance of employment.

Section 23. Horse Ambulance. There shall be a horse ambulance at all tracks under the jurisdiction of the commission for the removal of crippled or dead animals from the track. Horse ambulances must be equipped with a screen for use when an animal must be destroyed in view of the general public and also a winch to lift dead or injured animals on to the ambulance.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:44 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET

Kentucky Harness Racing Commission

(811 KAR 1:125)

RELATES TO: KRS 230.630 (1), (3); 230.640; 230.690; 230.710

PURSUANT TO: KRS 13.082, 230.630 (3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 28)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to provide and regulate pari-mutuel wagering at race meetings.

Section 1. Equipment. (1) The commission considers it desirable for licensees to use vending machines for the sale of pari-mutuel tickets. All licensees will be required to employ the use of totalizer equipment or its equivalent of a type approved by the commission.

(2) The controls necessary to operate the odds board in the infield, relative to the way the horses finish, (if the finish is being contested, if there is a photo, dead heat, time or race) are to be located in the judge's stand and controlled only by the presiding judge, or one associate judge designated to do so.

Section 2. Definitions for Pari-Mutuel Rules. (1) For the purpose of pari-mutuel betting, every heat or dash shall be a separate and distinct race.

(2) Where the term "race" is used throughout the following rules, it shall not be considered to apply as if the term "heat" had been used. Wagering shall be prohibited on more than ten (10) races, heats excluded, during the course of a single racing program, provided that the commission may extend the number of races authorized.

Section 3. Tax. Each day's tax imposed by KRS Chapter 138 shall be remitted to the Kentucky Department of Revenue by the licensee by check or bank draft within twenty-four (24) hours after the close of the racing program. Such remittance shall be accompanied by a tax return executed by the licensee on a form furnished by the Kentucky Department of Revenue. A copy of said form will be filed daily with the commission.

Section 4. Sale of Pari-Mutuel Tickets. (1) Only one method of selling pari-mutuel tickets shall be used for the sale of tickets on individual races during any racing day.

(2) Unless prior commission approval has been obtained no pari-mutuel tickets shall be sold except through regular ticket windows properly designated by signs showing type of tickets sold at that particular window.

(3) No pari-mutuel tickets shall be sold on any race prior to thirty (30) minutes before scheduled off-time of that race, except daily double, perfecta, double perfecta, quinella and double quinella tickets may be sold one (1) hour before scheduled off-time.

(4) Book making or betting other than pari-mutuel betting is strictly prohibited.

(5) No minor shall be allowed to bet and no mutuel employee shall sell or pay a wager to a minor.

(6) All wagering shall stop as soon as the word "go" shall be given by record or by voice of the starter. Vending machines for the sale of pari-mutuel tickets shall be electrically locked by the presiding judge from the judge's stand.

(7) When the sale of pari-mutuel tickets has closed, it shall remain closed until after the race has finished and has been declared official, unless an objection imposes a delay in which case the sale of pari-mutuel tickets for the next succeeding race may be begun without waiting for the race to be declared official.

(8) Without approval of the commission, no pari-mutuel ticket shall be sold for less than two dollars (\$2). Without approval of the commission, no pari-mutuel ticket combining win and place, win and show, or place and show, shall be sold for less than four dollars (\$4). Without approval of the commission, no pari-mutuel ticket combining win, place, and show, shall be sold for less than six dollars (\$6). Without approval of the commission, no pari-mutuel tickets for perfecta, double perfecta, quinella or double quinella combinations shall be sold for less than two dollars (\$2).

(9) The method of selling pari-mutuel tickets shall be approved by the commission.

(10) The manager of the pari-mutuel department shall be properly and timely advised by the presiding judge, prior to the beginning of wagering on each race, of the horses that will compete in the race.

(11) At meetings of more than ten (10) days, if less than six (6) interests qualify to start in a race, the manager of the pari-mutuel department, with the consent of the representative of the commission, shall be permitted to prohibit show wagering on that race.

(12) At meetings of more than ten (10) days, if less than five (5) interests qualify horses to start in a race, the said manager, with the consent of the representative of the Kentucky Harness Racing Commission shall be permitted to prohibit both place and show wagering on that race.

(13) At meetings of more than ten (10) days, if less than three (3) interests qualify horses to start in a race, the said manager, with the consent of the representative of the commission shall be permitted to prohibit wagering on that race.

(14) At meetings of more than ten (10) days, the said manager with the consent of the representative of the commission, may prohibit wagering on any particular horse or entry in any race. Such consent shall be sought by the manager of the pari-mutuel department from the representative of the commission. Such exclusions, if consented to by the representative of the commission, shall be clearly indicated on the program or score card or announced and horses excluded shall be numbered so as to in no way infer that they are coupled in "the field." Horses once excluded from the betting shall remain excluded during the day or race in which they are scheduled to start.

(15) When more horses representing separate interests are started in a race than the number of post positions on the infield tote board, all horses in excess of a number of interests one less than the total number of post positions on the infield tote board shall be grouped in the betting as the "field."

(16) A refund at cost value shall be made to all holders of a purchased ticket bearing the number of a horse in any race which has been scratched or withdrawn before said horse has become a starter in the race under the rules, unless such horse is part of an entry, and one (1) or more of said entry starts.

Section 5. Payments. (1) Payments due on all wagers shall be made in conformity with well established practice of the pari-mutuel system. The practice is to work in dollars and not in the number of tickets. Money wagered on winning tick-

ets is returned in full plus the profits. In all cases of a winning mutuel pool each licensee must redistribute not less than one dollar and ten cents (\$1.10) on each one dollar (\$1) wager and two dollars and twenty cents (\$2.20) on each two dollars (\$2) wager.

(2) At the end of each race, the judges shall advise the manager of the pari-mutuel department by the use of tote equipment or by telephone of the official placement of the horses, and no payoffs shall be made until the receipts of such notice.

(3) If a horse wins and there is no money wagered on him to win, the win pool shall be apportioned among the holders of the place tickets on that horse, if any, otherwise among holders of the show tickets.

(4) If no money has been wagered to place on a horse which is placed first or second in a race, the place pool for that race shall be apportioned among the holders of the place tickets on the other horse which was placed first or second.

(5) If no money has been wagered to show on a horse which has placed first, second or third in a race, the show pool in that race shall be apportioned among the holders of show tickets on the other horses which are placed first, second or third in that race.

(6) In the event that only two (2) horses finish in any one (1) race, the show pool shall be figured the same as the place pool and monies apportioned to the holders of show tickets on the two (2) finishing horses. In the event only one (1) horse finishes in any one (1) race all three (3) pools shall be figured separately as straight pools and all the monies shall be awarded to the ticket holders of the finishing horse. In the event no horse finishes the race, then the entire pool shall be refunded to all ticket holders.

(7) If two (2) horses finish in a dead heat for first place, the money in the win mutuel pool is divided between the two (2) dead-heaters according to their proportionate shares in the pool.

(8) If two (2) horses finish in a dead heat for second place, the division is made as follows: There shall be allotted to the pool of the winner of the race one-half (1/2) of the place pool and the two (2) dead-heaters one-half (1/2) each of the remaining half of the place pool.

(9) If two (2) horses coupled in the betting as an "entry" or "the field" finish first and second, first and third, or second and third, two-thirds (2/3) of the net show pool shall be allotted to the pool of the entry and the balance one-third (1/3) to the other horse.

(10) In the event that one (1) horse of the entry or the field finishes first or second and the other part of the entry or field finishes in a dead heat for third with another horse, the division of the net show pool shall be as follows: one-half (1/2) of the net show pool shall be allotted to the pool of the entry, one-third (1/3) to the non-entry horse not involved in the dead heat, and one-sixth (1/6) to the non-entry horse finishing in the dead heat.

(11) If the entry or field horses should finish first, second and third, the entire money in each pool goes to the entry or field tickets, no other tickets participating.

(12) No mutilated pari-mutuel ticket that is not easily identifiable as being a valid ticket shall be accepted for payment.

(13) No claims for lost pari-mutuel tickets shall be considered.

(14) In the event an error is made in calculation resulting in a price being too high, the association shall lose such amount between the proper price and the one paid. If the error in calculation results in a price being too low, such amount between proper price and price paid shall be added to the net pool of the same position in the following race on the same day or if it is the last race of the day then it shall be added to the net pool of the same position in the same race on the following day. If such an error occurs causing underpayment on the last race of the entire racing meeting, the underpayment shall be paid to the Kentucky Department of Revenue.

Section 6. Daily Doubles. (1) Positively no exchange of daily double tickets after purchaser thereof has left the sales window.

(2) The daily double is not a parlay, and has no connection with or relation to the "tote" betting. All tickets on the daily double will be calculated in an entirely separate pool. Without prior commission approval, only one daily double will be permitted during any single program.

(3) All tickets will be to win (straight) only. Entries and the field run as one (1) horse in the daily double. If two (2) or more horses in a race are coupled on the same totalizator ticket, there shall be no refunds, unless all of the horses so coupled are excused before off time.

(4) Selections are to be made of one (1) horse for each of two (2) races in the daily double by "tote" program numbers.

(5) If no ticket is sold combining the two (2) winners of the daily double, the pool shall then be apportioned equally between those having tickets including the winner in the first race of the daily double and those having tickets including the winner in the second race of the daily double in the same manner in which a place pool is calculated and distributed.

(6) If no ticket is sold on the winner of the first race of the daily double on any combination, the entire pool is apportioned to the holders of tickets on the winner of the second race of the daily double. Likewise, if no ticket is sold on the winner of the second race of the daily double or any combination, the entire pool is apportioned to the holders of tickets on the winner of the first race of the daily double.

(7) If a dead heat to win should result in either the first or second race of the daily double, the total pool is calcu-

lated as a place pool. In case of a dead heat for the winner of the first race of the daily double, the posting of payoff prices will be made after winner of second race of the daily double is official.

(8) Should no ticket be sold containing the numbers of either winner on any combination, the pool shall be allotted to those having tickets on horses finishing next to the winners.

(9) In the event any horse or horses in the first half of the daily double should be excused by the judges after the horses shall have left the paddock for the post, or after the betting on the daily double has been closed, or should any horse or horses in the first half of the daily double be prevented from racing because of failure of the arm or arms of the starting gate to open, the money wagered on any horse or horses so excused or prevented from racing shall be deducted from the daily double pool and refunded to the purchaser or purchasers of tickets on the horse or horses so excused or prevented from racing.

(10) If horse is scratched from the second half of the daily double before it becomes a starter in the second half, but after the first half of the daily double has been run, all daily double tickets combining the scratched horse in the second race of the daily double with the actual winner of the first race of the daily double shall be paid a price equivalent to that fraction of the net pool derived by dividing the net pool by the total purchase price of all tickets combining the winner of the first race of the daily double with all horses in the second race of the daily double. The total payoff on all tickets combining the winner of the first race of the daily double with the scratched horse in the second race of the daily double as determined by the method set forth in this rule shall be deducted from the net daily double pool.

(11) The possible payoff prices shall be posted or announced to the public before the start of the last race of the daily double, and as soon as possible after the horses in the race of the last half of the daily double have entered upon the track on the way to the post.

(12) In case the second half of the daily double is not raced due to rain, or for any other cause, the entire pool shall be returned to the holders of tickets on the daily double.

(13) If a daily double is scheduled to be held, subsections (1) to (12) of this section shall be printed in conspicuous places in the grandstand area and an abbreviated version shall be printed on the day's racing program, and notice printed on said program as follows: "Retain Your Tickets Until The Result Of The Daily Double Has Been Posted."

Section 7. Perfecta Wagering. (1) The "perfecta" (also known as exacta or correcta) is a contract by the purchaser of a ticket combining two (2) horses in a single race, selecting the two (2) horses that will subsequently finish first and second in that race. Payment of the ticket shall be made only to the purchaser who has selected the same order of finish as officially posted.

(2) The perfecta is not a "parlay" and has no connection with or relation to the win, place and show betting and will be calculated as an entirely separate pool.

(3) If no ticket is sold on the winning combination of a perfecta pool, the net pool shall be distributed equally between holders of tickets selecting the winning horse to finish first and/or holders of tickets selecting the second place horse to finish second.

(4) If no ticket is sold that would require distribution of a perfecta pool to winner as above defined, the association shall make a complete and full refund of perfecta pool.

(5) In case of a dead heat between two (2) horses for first place the net perfecta pool shall be calculated and distributed as a place pool to holders of tickets of the winning combination(s). In case of a dead heat between two (2) horses for second place, the perfecta pool shall be figured as a place pool, the holders of tickets combining the winning horse and the two (2) horses finishing second participating in the payoff.

(6) In the event of a dead heat for second place, if no ticket is sold on one (1) of the two (2) winning combinations, the entire net pool shall be calculated as a win pool and distributed to those holding tickets on the other winning combination. If no tickets combine the winning horse with either of the place horses in the dead heat, the perfecta pool shall be calculated and distributed as a place pool to holders of tickets representing any interest in the net pool.

(7) No entries or field horses shall be allowed in any race that the perfecta is being sold.

Section 8. Quinella Wagering. (1) The "quinella" is a form of pari-mutuel wagering consisting of selecting the first two (2) horses to finish, irrespective of their place of finish.

(2) The quinella is not a "parlay" and has no connection with or relations to the win, place or show betting and will be calculated as an entirely separate pool.

(3) In case of a dead heat between two (2) horses for first place, the combination shall be the winner of the quinella pool. In case of a dead heat between two (2) horses for second place, the quinella pool shall be figured as a place pool, the holders of tickets combining the winning horse and the two (2) horses finishing second participating in the payoff.

(4) In the event of a dead heat for second place, if no ticket is sold on one (1) of the winning combinations, the entire net pool shall be calculated as a win pool and distributed to those holding tickets on the other winning combination.

If no tickets combine the winning horse with either of the place horses in the dead heat, the net pool shall be calculated and distributed as a place pool to holders of tickets combining either of the place horses; however, if any tickets combine both horses in the dead heat for place, the net pool shall be calculated and distributed as a win pool to holders of such tickets.

(5) If no ticket is sold on the winning combination of a quinella pool, the net pool shall then be apportioned equally between those having tickets including the horse finishing first and those having tickets including the horse finishing second in the same manner in which a place pool is calculated and distributed.

(6) If no ticket is sold that would require distribution of a quinella pool to a winner as above defined, the association shall make a complete and full refund of the quinella pool.

(7) If a perfecta and/or quinella is scheduled to be held, each association shall print an abbreviated version of this rule on the day's racing program.

Section 9. Double Perfecta Wagering. (1) The double perfecta is a form of pari-mutuel wagering in which the bettor selects the two (2) horses that will finish first and second in each of two (2) consecutive races in the exact order as officially posted.

(2) Double perfecta tickets shall be sold only at double perfecta windows and only from automatic double issue machines.

(3) Each bettor purchasing double perfecta tickets shall designate his two (2) selections as the first two (2) horses to finish in that order in the first of two (2) consecutive races.

(4) After the official declaration of the first two (2) horses to finish in the first race of the double perfecta, each bettor holding a ticket combining the first two (2) horses in the exact order of finish must, prior to the running of the second double perfecta race exchange ticket at the double perfecta window and at such time shall select the two (2) horses to finish in the second race of the double perfecta in the exact order as officially posted. No further money shall be required of the holder of the ticket in order to make the exchange.

(5) No double perfecta exchange ticket upon the second race shall be issued except upon the surrender of the double perfecta ticket from the first race as described in these rules. The double perfecta pool obtained from the sales of double perfecta tickets upon the first race shall be held, subject to these rules, and divided among the winning tickets of the double perfecta exchange tickets, subject to those rules to the contrary. Double perfecta windows shall be open for the purpose of making the exchange as described only after the first race has been declared official.

(6) If a winning double perfecta ticket from the first race is not presented for exchange within the time provided the bettor forfeits all rights to any distribution or refund except in the event the second half of the double perfecta is cancelled or declared "no race."

(7) If a horse is scratched in the first race of the double perfecta races, all double perfecta tickets on the scratched horse will be refunded.

(8) If a horse is scratched in the second race of the double perfecta, after the first race of the double perfecta has been declared official, all exchange tickets combining the scratched horse shall become consolation tickets and shall be paid a price per dollar denomination calculated as follows: the net double perfecta pool (gross pool less commission) shall be divided by the total purchase price of all tickets combining the winners of the first race of the double perfecta. The quotient thus obtained shall be the price to be paid to holders of exchange tickets combining the scratched horse in the second race of the double perfecta. The entire consolation pool (number of eligible tickets times the consolation price) shall be deducted from the net double perfecta pool.

(9) If no double perfecta ticket is sold as a winning combination in the first race of the double perfecta, the double perfecta pool shall be divided among those having tickets including the horse finishing first and those having tickets including the horse finishing second and such distributions shall be calculated and made as a place pool. In such an instance the double perfecta race shall end and the pool be closed for the day.

(10) If no double perfecta exchange ticket is sold on the winning combination the net pool shall then be apportioned equally between those having tickets including the horse finishing first and those having tickets including the horse finishing second in the same manner in which a place pool is calculated and distributed.

(11) If a double perfecta exchange ticket combines only one (1) of the two (2) winners and no double perfecta exchange ticket combines the other winner, the entire pool shall be distributed as a straight pool to the holders of those tickets.

(12) If no exchange ticket includes either the first or second horse of the second half of the double perfecta the entire net pool shall be distributed as a straight pool to all holders of exchange tickets.

(13) In the event of a dead heat for place in the first race of the double perfecta races, all double perfecta tickets combining the first horse and either of the place horses shall be eligible for exchange for double perfecta exchange tickets.

(14) In the event of a dead heat for place in the second race of the double perfecta, the double perfecta pool shall be divided, calculated and distributed as a place pool to the holders of double perfecta exchange tickets combining the

first horse and either of the place horses. In the event of the dead heat to place and there are no tickets sold on one combination, then the other combination having the winning horses shall be declared the winner. If no exchange tickets combining the winning horse with either of the place horses in the dead heat, the double perfecta pool shall be calculated and distributed as a win pool to holders of tickets representing any interest in the net pool.

(15) If for any reason the second of the double perfecta races is cancelled or declared "no race," the pool shall be calculated as a straight pool and shall be distributed among the holders of the tickets combining the first two (2) horses of the first race of the double perfecta otherwise eligible for double perfecta exchange tickets and also distributed to holders of the double perfecta exchange tickets.

(16) If there is a dead heat for the winning horse in either of the two (2) consecutive races for the double perfecta, such calculation of distribution of the double perfecta pool shall be made in the manner in which any ordinary perfecta pool would be made should there be a dead heat for the win despite the number of horses involved in the dead heat.

(17) The purchase of double perfecta tickets other than through pari-mutuel machines and the sale of double perfecta tickets from one individual to another shall be deemed illegal and is prohibited.

Section 10. Big "Q" Rules (1) Each operator wishing to conduct Big "Q" wagering must first petition the board for permission to do so.

(2) Each operator shall either print in the daily program or prominently post at all areas where Big Q wagering is conducted the complete rules for Big Q wagering as set forth in the following sections:

(a) The Big Q consists of selecting the quinella (the first two (2) horses to finish) of each of two (2) consecutive races. Pari-mutuel wagering tickets are to be sold upon the first race of the two (2) races only. The division of the pool shall be calculated as in a straight pool, subject to provisions of these rules to the contrary.

(b) No entries or field horses shall be allowed to start in any race comprising the Big Q.

(c) Tickets shall be sold only at Big Q windows and only from automatic double issuing machines.

(d) Each bettor purchasing tickets shall designate his two (2) selections as the first two (2) horses to finish in the first race of the two (2) races.

(e) After the official declaration of the first two (2) horses to finish the first of the Big Q races, each bettor holding a ticket combining the said two (2) horses to finish must, prior to the running of the second race, exchange such winning ticket for a Big Q exchange ticket at the Big Q windows and at such time the said holder shall select the first two (2) horses to finish in the second race of the Big Q. No further money shall be required of the holder of the ticket in order to make the exchange.

(f) No Big Q exchange ticket upon the second race shall be issued except upon the surrender of the Big Q ticket from the first race as described in these sections. The Big Q pool obtained from the sales of the Big Q tickets upon the first race shall be held subject to these sections, and divided among the winning tickets of the Big Q exchange tickets, subject to these sections to the contrary. Big Q windows shall be open for the purpose of making the exchange as described only after the first race has been declared official and such windows shall close at post time at the start of the second race of the Big Q races.

(g) If a winning Big Q ticket from the first race is not presented for exchange within the time provided, the bettor forfeits all rights to any distribution or refund except in the event the second half of the Big Q is cancelled or declared "no race" or if no exchange ticket includes either the first or second horse of the second half of the Big Q.

(h) If a horse is scratched in the first race, all Big Q tickets on the scratched horse will be refunded. If a horse is scratched in the second race, the holders of tickets on the scratched horse will be entitled to exchange their tickets for another selection. In the event of a late scratch, after the exchange windows have been closed, all exchange tickets combining the scratched horse shall become consolation tickets and shall be paid a price per dollar denomination calculated as follows: The net Big Q pool (gross pool less commission) shall be divided by the total purchase price of all tickets combining the winnings of the first race of the Big Q. The quotient thus obtained shall be the price to be paid to holders of exchange tickets combining the scratched horse in the second race of the Big Q. The entire consolation pool (number of eligible tickets times the consolation price) plus the breakage shall be deducted from the net Big Q pool.

(i) If no ticket is sold as a winning combination in the first race of the Big Q, the Big Q pool shall be divided among those having tickets including the horse finishing first or second and such distributions shall be calculated and made as a place pool. In such an instance, the Big Q race shall end and the pool be closed for the day.

(j) If no Big Q exchange ticket is sold on the winning combination, the net pool shall be apportioned equally between those having tickets including the horse finishing second in the same manner in which a place pool is calculated and distributed.

(k) If a Big Q exchange ticket combines only one (1) of the winners and no Big Q exchange ticket combines the other winner, the entire pool shall be distributed as a straight pool to the holders of those tickets.

(l) If no exchange ticket includes either the first or second horse of the second half of the Big Q, the entire net pool will be distributed as a straight pool to all holders of exchange tickets and winning combinations of the first half that have not been exchanged.

(m) In the event of a dead heat for place in the first race of the Big Q races all Big Q tickets combining the first horse and either of the place horses shall be eligible for exchange for Big Q exchange tickets.

(n) In the event of a dead heat for place in the second race of the Big Q races the pool will be divided, calculated and distributed as a place pool to the holders of Big Q exchange tickets combining the first horse and either of the place horses. In the event of the dead heat to place and there are no tickets sold on one combination, then the other combination having winning horses shall be declared the winner.

(o) If no exchange tickets combine the winning horse with either of the place horses in the dead heat, the Big Q pool shall be calculated and distributed as a place pool to holders of tickets combining either of the place horses, however if any exchange tickets combine both horses in the dead heat for place, the Big Q pool shall be calculated and distributed as a place pool to holders of such tickets.

(p) If for any reason the first race of the Big Q races is cancelled or declared "no race" full and complete refund shall be made from the Big Q pool.

(q) If for any reason, the second of the Big Q races is cancelled or declared "no race" the pool shall be calculated as a straight pool and shall be distributed among the holders of tickets combining the first two horses of the first race of the Big Q otherwise eligible for Big Q exchange tickets and also distributed to holders of the Big Q exchange tickets.

(r) If there is a dead heat for the winning horses in either of the two (2) consecutive races for the Big Q such calculation of Distribution of the Big Q pool shall be made in the manner in which any ordinary quinella pool would be made should there be a dead heat for the win despite the number of horses involved in the dead heat.

(s) In the event that an incorrect exchange ticket is issued during the second half of the Big Q pool, such incorrect exchange ticket must be turned in to the State Auditor prior to the running of the second half. Said tickets shall be deducted from both exchange and individual combination totals. The ticket shall be voided and filed with the performance worksheets and a report including the seller's name and license number, shall be made to the board of the complete incident.

Section 11. Types of Wagering Allowed. The following types of wagering shall be permitted at all tracks given racing dates by the commission: (1) Normal win, place, and show betting on each race.

(2) A daily double on the first and second races.

(3) Any other methods of betting approved in advance by the commission.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:45 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:130)

RELATES TO: KRS 230.630(1), (3); 230.640; 230.690(5)

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC-Rg-4, KTC 1-8 (Rule 29)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate persons permitted on licensed premises.

Section 1. Admission to Premises. Each and every badge or button regardless of when issued by the commission and the badge or button issued by the National Association of State Racing Commissioners shall be honored for admission to any place on the track operating under the jurisdiction of the commission.

Section 2. Badges and buttons issued to deputy commissioners (supervisors of racing), their assistants and security

personnel shall be surrendered to the commission upon termination of employment.

Section 3. Limited Admission. (1) No person other than members, officers, and employees of the commission, racing officials, and police officers shall be permitted to enter any part of the licensed premises, except the club house, grandstand, or other areas open to patrons, or the general public, unless he possesses and displays a badge or an identification card, countersigned by the chairman of the commission, the designated representative of the commission or track manager, bearing his name, address, and photograph authorizing his admittance thereto, or possesses or displays a temporary identification permit countersigned by the chairman of the commission, the designated representative of the commission or track manager to enter the particular area.

(2) Only the following listed persons shall be entitled to enter the stable area of a licensee: members, officers and employees of the commission; management and employees of management performing duties therein; and racing officials, police officers, owners, trainers, grooms and others performing official duties in the stable area.

(3) Any person violating this rule may be evicted from the licensed premises by the licensee and thereafter denied admission as a patron or otherwise to any portion of the licensed premises.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:45 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET

Kentucky Harness Racing Commission
(811 KAR 1:135)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 30)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate identification cards and badges.

Section 1. Cards and Badges. (1) The licensee shall issue identification cards or badges only to its officers, employees, guards, and watchmen, to drivers, and to owners, or trainers, their employees, assistants, grooms and attendants. Such identification cards or badges may at any time be taken up by the licensee upon reasonable cause and shall be taken up from owners, trainers, their employees, assistants, grooms, and attendants when the horses of such owners or trainers are removed from the licensed premises.

(2) The licensee shall issue temporary identification permits only to persons of good moral character who have a legitimate purpose for entering any such enclosure not open to the general public. Such temporary permits may be taken up by the licensee at any time and shall be surrendered to the licensee when the particular purpose for which the permit was issued has been completed.

(3) An identification card shall be issued to those entitled to the stable area under the auspices of the chairman of the commission, the designated representative of the commission and track management. The identification card shall be displayed upon request by those guarding the area.

(4) Any identification card or button may be taken up by direction of the chairman of the commission or the designated representative of the commission upon reasonable cause and shall be taken up from owners, trainers, their employees, assistants, grooms and attendants when the horses of such owners or trainers are removed from the licensed premises.

(5) Any person violating this rule may be evicted from the licensed premises by direction of the chairman of the commission or the designated representative of the commission and thereafter denied admission as a patron or otherwise to any portion of the licensed premises.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:46 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET Kentucky Harness Racing Commission (811 KAR 1:140)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 31)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate post times and horse numbering.

Section 1. Post Time. (1) In the event that racing pursuant to the hours prescribed by the license for the meeting is conducted at night or twilight, the racing program must be completed no later than 12:00 midnight.

(2) Post time for the first race of the evening may be fixed by licensee. A delay in the first post of not more than ten (10) minutes from such established post time may be taken without prior approval of the commission.

Section 2. Head Number and Saddle Pads. Each competing horse shall be equipped with numbers of styled, type and design approved by the commission or its representatives. Numbers shall be so arranged that coupled entries may be distinguished as such and also horses coupled in the field as such.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:46 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET Kentucky Harness Racing Commission (811 KAR 1:145)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 32)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate the number of races authorized for each program.

Section 1. (1) Unless approved by the commission, no licensee shall hold or run off in any one (1) program more than a total of ten (10) races.

(2) If eight (8) races are programmed, four (4) completed races constitute a complete program; if nine (9) races are programmed, five (5) completed races constitute a completed program; and if ten (10) races or more are programmed, six (6) completed races constitute a completed program.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED: ELIJAH M. HOGGE, Secretary
RECEIVED BY LRC: April 10, 1975 at 11:46 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET Kentucky Harness Racing Commission (811 KAR 1:150)

RELATES TO: KRS 230.630(1), (2), (3); 230.640; 230.620(4); 230.650; 230.660.

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 33)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to set out the duties and responsibilities of commission officials, deputies and assistants.

Section 1. Executive Racing Secretary. The executive racing secretary is appointed by the Governor and shall be responsible for the keeping of the minutes of the commission and shall be the official custodian of all records of the commission. The executive racing secretary shall manage the office of the commission and shall supervise office personnel, exclusive of the deputy commissioner (supervisor of racing) and assistant deputy commissioner (assistant supervisor of racing) and shall supervise licensing from the office of the commission and shall perform such other duties as shall be designated by the commission.

Section 2. Deputy Commissioner (Supervisor of Racing). A deputy commissioner (supervisor of racing) may be appointed by the commission and shall be representative at large of the commission. He shall have general supervision over all race officials and licensees of the commission. He shall supervise the licensing of all those persons required to be licensed by the commission at associations. He shall generally supervise the conduct of the racing, the pari-mutuel operations, and the testing of horses. His authority is extended to cover all powers and duties of the commission, subject to review by the commission, except for such limitations expressly stated in the law or the commission's regulations. He shall have authority to conduct inquiries, and shall submit a report of all proceedings thereon to the commission. He shall at all times have access to all parts of the course, plant and grounds, including the pari-mutuel department. The compensation of the deputy commissioner (supervisor of racing) shall be fixed by the commission and paid by the commission or other branches of state government. The commission in its discretion may appoint such assistants to the deputy commissioner

(supervisor of racing) as it may deem necessary who shall have the same authority as the deputy commissioner (supervisor of racing) in his absence but such assistants shall be junior in authority to the deputy commissioner (supervisor of racing) at all times. In addition, the commission may appoint any other assistants as it may deem necessary.

Section 3. The commission may, in its discretion, designate one of the officials as its representative at that particular meeting. Said designee shall be required to perform all of the functions of a deputy commissioner (supervisor of racing).

Section 4. It shall be the duty of all the officials to enforce the rules and regulations of the commission.

Section 5. The deputy commissioner (supervisor of racing) or any official or employee appointed or approved by the commission may be removed by the commission in its discretion. The chairman, or in his absence from the state, the vice-chairman, may suspend the deputy commissioner (supervisor of racing) or any official or employee appointed or approved by the commission until such time as the commission may act to remove or reinstate said deputy commissioner (supervisor of racing), official, or employee.

Section 6. In an emergency, due to incapacity or absence, the deputy commissioner (supervisor of racing) or in his absence, the licensee may appoint a substitute official to serve pending a new official approved by the commission.

Section 7. Commission Director of Security. (1) The commission may employ an investigator experienced in police work who shall advise the commission as to any person on association grounds, or among license applicants, whose conduct or reputation is such that such person's presence on association grounds may reflect on the honesty and integrity of Standardbred racing or interfere with the orderly conduct of Standardbred racing. The commission director of security shall:

(2) Maintain a current file on persons against whom rulings have been issued in racing jurisdictions and reported through the National Association of State Racing Commissioners and the United States Trotting Association. Said file also shall contain reports received from all available agencies as to investigations, arrest records, and other information; said file also shall contain reports as to ejections or exclusions from association grounds in Kentucky and other racing jurisdictions.

(3) Investigate and ascertain the truth of statements made on license applications.

(4) Investigate possible infractions of racing rules at the request of the commission or stewards.

(5) Participate and cooperate with members of the Track Security Police, state and local police on all other investigations and conduct pertaining to racing in the Commonwealth.

Section 8. Commission Supervisors of Pari-Mutuel Betting. (1) The commission shall employ supervisors of pari-mutuel betting with accounting experience who shall be responsible for ascertaining whether the proper amounts have been paid from pari-mutuel pools to the betting public, to the association, and to the commonwealth, by checking, auditing, and filing with the commission verified reports accounting for daily pari-mutuel handle distribution and attendance for each preceding racing day and a final report at the conclusion of each race meeting in the commonwealth.

(2) Such daily reports to the commission shall show: For each race: number of horses started, number of betting interests, total money wagered in each betting pool, and refunds, if any for each day. The sum of all betting pools, and total refunds also, total pari-mutuel handle for the comparable racing day for the preceding year, and cumulative total and daily average pari-mutuel handle for the race meeting.

(3) Such daily reports also shall show: amount of state pari-mutuel tax due; taxable admissions, tax exempt admissions, total admissions; temperature, weather, and track conditions, post time of first race; program purses, distance and conditions of each race; any minus pools resulting with explanation.

(4) The commission supervisors of pari-mutuel betting shall submit to the commission on or before thirty (30) days after the close of each race meeting a final verified report giving in summary form a recapitulation of the daily reports for each race meeting and such other information as the commission may require.

(5) The commission supervisors of pari-mutuel betting or their representatives shall have access to all association books, records, and pari-mutuel equipment for checking accuracy of same.

Section 9. The commission, its executive racing secretary, representatives, officials and employees shall at all times have full access to the course, plant and grounds, including the judges' stand, and pari-mutuel department.

Section 10. No veterinarians designated as officials at any race meeting shall practice their profession upon the grounds at such race meeting, except, however, such veterinarian may act in case of an emergency and only for so long as such emergency may exist.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:46 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:155)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.062, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 34)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate postponements of races.

Section 1. No racing shall be conducted by any licensee over any track which is dangerous to drivers or horses competing thereon. If at any time inclement weather or other conditions appear to make the track unsafe, representatives of management and the horsemen shall meet to determine whether or not racing shall be conducted. If a difference of opinion exists between representative of management and representative of the horsemen as to whether racing shall be conducted, the decision of the commission representative shall be final.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:47 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:160)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.062, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 35)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to prohibit the association with undesirable persons, require the reporting of unauthorized conduct and to prohibit unlawful practices.

Section 1. (1) No owner, driver, trainer, groom, attendant or any other person having charge of or access to any harness race horse shall at any time associate with, consort with, or in any manner communicate with any known gambler, bookmaker, tout, or person of similar pursuits either on or off the track. If the reputation of such gambler, bookmaker, tout or person of similar pursuit is notorious, the owner, driver, trainer, groom, attendant or other persons having charge of, or access to any harness race horse shall be presumed to have knowledge of the fact.

(2) If any person under the jurisdiction or control of the commission shall be approached with any offer or promise of a bribe or with a request or a suggestion for a bribe or for any improper, corrupt or fraudulent act or practice in relation to a race or racing, or that any race shall be conducted otherwise than fairly in accordance with the rules of this commission, it shall be the duty of such person to report immediately such matter to the commission or to one of its appointed representatives.

(3) Any person found to have violated any provision of the preceding subsections of this rule shall be subject to suspension for a period of not less than thirty (30) days to a lifetime suspension.

(4) If any person shall be guilty of or shall conspire with any other person for the commission of any corrupt or fraudulent practice in relation to racing in this state, such person or persons shall be suspended and his case referred to the commission. The commission shall make the final disposition of the case or cases.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:47 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:165)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.062, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 36)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The

function of this regulation is to provide for a driver's stand.

Section 1. Every licensee conducting pari-mutuel betting shall provide a stand, located conveniently to the gate through which horses enter the track at the beginning of a race, for drivers who are not competing in a particular race and who are wearing colors.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:49 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:170)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 37)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate the use of telephones while races are being conducted.

Section 1. All public telephones shall be closed at the track or in the grounds of the licensee conducting the meeting with the opening of the pari-mutuel windows for the first race of the day or evening. Except in case of emergency, no calls of the general public shall be allowed to be made or received after the telephones are closed until after the last race has been finished and declared official, except by officials of the commission.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:48 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:175)

RELATES TO: KRS 230.630(1), (3); 230.640

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 38)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to provide for inspections within the track grounds.

Section 1. The commission or its designated representative shall have the right to permit a person or persons authorized by either of them to enter in or upon the stables, rooms, or other places within the track enclosure at which a race meeting is held or other tracks or places where horses are kept, who are eligible to race at said race meeting for the purpose of and to inspect and examine the personal effects, or property within such places of every trainer, driver, stable foreman, groom, authorized agent and veterinarian or any of them.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:48 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:180)

RELATES TO: KRS 230.630(1), (3); 230.640; 230.700; 230.710

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 39)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to provide for the licensing of personnel and the fees to be charged for licensing.

Section 1. Every person holding a permit to conduct pari-mutuel wagering in this state and every person who is a member of an association holding such a permit and every person who is an officer of a corporation which holds such a permit, and every employee of the holder of such permit in any capacity connected to any extent with the pari-mutuel wagering business in this state, and all owners, trainers, drivers,

grooms, managers, agents, blacksmiths, veterinarians, and like persons who actively participate in the racing activities of any such permit holders, shall furnish the commission, on demand, for its files, his fingerprints and photograph, which fingerprints and photograph shall be furnished at the time application is made for license from this commission.

Section 2. No one shall be permitted to enter in or about the grounds, stables or stable enclosures who does not have in his possession a license issued by the commission as owner, trainer, driver, apprentice, agent, stable foreman, groom, veterinarian, or proper credentials issued by the association, and a full record of these credentials shall be compiled and open to inspection at all times.

Section 3. At all pari-mutuel racing meetings all persons in the appended list shall procure a license from the commission. The annual fee for such licenses shall be paid at the time of the filing of the application and shall be as follows:

Stable License	\$25	Announcer	\$10
Owner-Driver	15	Assistant Race Secretary	10
Owner-Driver-Trainer	15	Assistant Starting Judge/	
Driver	10	Gate Driver	10
Driver-Trainer	10	Charter	10
Owner	10	Clerk of Course	10
Owner-Trainer	10	Farrier	10
Prainer	10	Mutuel Employes	10
Judges-Associate	15	Program Director	10
Judges-Paddock	15	Timer	10
Judges-Patrol	15	Veterinarian	15
Judges-Presiding	15	Miscellaneous	10
Judges-Starting	15	Groom	4
Race Secretary	15		

Section 4. Should a licensee lose a permit or should a permit in some manner be destroyed, such licensee may apply for a duplicate permit by filing an affidavit and the payment of a fee of one dollar (\$1).

Section 5. If the commission, in its discretion, shall find that the experience, character and general fitness of the applicant are such that the participation of such person in harness horse race meets will not be consistent with the public interest, convenience and necessity and with the best interests of racing, generally in conformity with the purposes of the harness racing act, it may thereupon deny a license.

Section 6. If a license has previously been issued by the United States Trotting Association, then upon payment of the license fee set out in Section 3, said license may be approved by an official stamp of the commission without the requirement on the part of said applicant to submit data required by Section 1.

MARVIN MUSIC, Chairman

ADOPTED: April 4, 1975

APPROVED:

ELIJAH M. HOGGE, Secretary

RECEIVED BY LRC: April 10, 1975 at 11:48 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission
(811 KAR 1:185)

RELATES TO: KRS 230.630(1), (3), (6); 230.640; 230.690

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 40)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to provide for the submission of records, audits and reports by associations to the commission.

Section 1. Every person conducting race meetings under KRS 230.610 to 230.760 shall so keep books and records as to clearly show the total number of admissions and the total amount of money contributed to every pari-mutuel pool on each race separately and amount of money received daily from admission fees and shall submit annually to the commission a complete audit of its accounts. This audit shall include, but is not limited to, a balance sheet and a profit and loss statement.

Section 2. Within sixty (60) days after the conclusion of every race meeting and at such other times as required by the commission, every person conducting race meetings under KRS 230.610 to 230.760 shall submit to the commission an operating report setting out the number of racing days, mutuel handle, daily average, commission to state, commission to track, breakage to track, total complimentary admission, total admission, daily average, total admission receipts, total received by track from concessions, purses paid by track excluding entry fees, entry fees, estimated expenses including payrolls, advertising and publicity and other expenses, and estimated profit or loss on operations.

Section 3. A copy of all certified or other audits made of

an association shall be filed with the commission.

ADOPTED: April 4, 1975
 APPROVED: ELIJAH M. HOGGE, Secretary
 RECEIVED BY LRC: April 10, 1975 at 11:49 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
 Kentucky Harness Racing Commission
 (811 KAR 1:190)

RELATES TO: KRS 230.630(1), (3); 230.640; 230.720

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 1-8 (Rule 41); KTC-3

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to provide penalties for violation of rules and to provide for matters not covered by the rules and regulations.

Section 1. Matters Not Covered By Rules and Regulations. Any situation not covered by the rules and regulations of this commission shall be referred to the commission for disposition.

Section 2. Violations. (1) Any licensee, judge, owner, trainer, driver, groom, veterinarian, official and mutual employe violating any of the rules or regulations shall be liable upon conviction to a fine not exceeding \$1,000, or revocation of license, suspension or both, unless otherwise limited in the rules.

(2) The conviction of any corporate licensee of a violation of any of the rules or regulations may also subject the officers of the said corporation to a penalty not exceeding that which is hereinabove provided.

(3) Any attempt to violate any of the rules and regulations falling short of actual accomplishment shall constitute an offense, and upon conviction shall be punishable as hereinabove provided.

ADOPTED: April 4, 1975
 APPROVED: ELIJAH M. HOGGE, Secretary
 RECEIVED BY LRC: April 10, 1975 at 11:49 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

PUBLIC PROTECTION AND REGULATION CABINET
 Kentucky Harness Racing Commission
 (811 KAR 1:195)

RELATES TO: KRS 230.750

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

SUPERSEDES: KTC 2-1

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate the deductions authorized by the track from the pari-mutuel wagering.

Section 1. The deductions of track "take," including the tax levied in KRS 138.510, deducted from the gross amount wagered by the persons, corporation or association which operates a harness racing track at which betting is conducted through a pari-mutuel or other system shall not exceed seven-tenths (7/10) percent of the gross amount handled, and the breaks, which breaks shall be made and calculated to the dime.

ADOPTED: April 4, 1975
 APPROVED: ELIJAH M. HOGGE, Secretary
 RECEIVED BY LRC: April 10, 1975 at 11:33 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Sylvia Griffin, Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

DEPARTMENT FOR HUMAN RESOURCES
 Kentucky Drug Formulary Council
 (902 KAR 1:160)

RELATES TO: KRS 217.814 to 217.826, 217.990(9)(10)

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Oxytetracycline Hydrochloride pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Oxytetracycline Hydrochloride Capsule Pharmaceutical Products. The following Oxytetracycline Hydrochloride capsule pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

Oxytetracycline Hydrochloride 250mg Capsule Form	
Oxlopar	Parke-Davis
Oxy-Kesso-Tetra	McKesson Laboratories
Oxy-Tetrachel	Rachelle Laboratories
Terramycin	Pfizer Laboratories

ADOPTED: February 20, 1975
 APPROVED: C. LESLIE DAWSON, Secretary
 RECEIVED BY LRC: April 15, 1975 at 3:57 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Al Austin, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
 Kentucky Drug Formulary Council
 (902 KAR 1:170)

RELATES TO: KRS 217.814 to 217.826, 217.990(9)(10)

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Propoxyphene Hydrochloride pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Propoxyphene Hydrochloride Capsule Pharmaceutical Products. The following Propoxyphene Hydrochloride capsule pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

(1) Propoxyphene Hydrochloride 32mg Capsule Form	
Darvon	Eli Lilly & Company
Mardon	Geneva Drugs, Ltd.
Propoxyphene Hydrochloride	Mylan Pharmaceuticals, Inc.
Propoxyphene Hydrochloride	Paramount Surgical Supply Corp.
Propoxyphene Hydrochloride	Zenith Laboratories
(2) Propoxyphene Hydrochloride 65mg Capsule Form	
Darvon	Eli Lilly & Company
Dolene	Lederle Laboratories
Mardon	Geneva Drugs, Ltd.
Propoxyphene Hydrochloride	Abbott Laboratories
Propoxyphene Hydrochloride	Columbia Medical Company
Propoxyphene Hydrochloride	Geneva Generics
Propoxyphene Hydrochloride	Midway Medical Company
Propoxyphene Hydrochloride	H. L. Moore Drug Co.
Propoxyphene Hydrochloride	Mylan Pharmaceuticals, Inc.
Propoxyphene Hydrochloride	Paramount Surgical Supply Corp.
Propoxyphene Hydrochloride	Purepac Pharmaceutical Co.
Propoxyphene Hydrochloride	Rexall Drug Company
Propoxyphene Hydrochloride	Zenith Laboratories
SK-65	Smith, Kline & French Labs.
Vandar	Vanguard Laboratories

ADOPTED: February 20, 1975
 APPROVED: C. LESLIE DAWSON, Secretary
 RECEIVED BY LRC: April 15, 1975 at 3:57 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Al Austin, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
 Kentucky Drug Formulary Council
 (902 KAR 1:160)

RELATES TO: KRS 217.814 to 217.826, 217.990(9)(10)

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Tetracycline Hydrochloride pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Tetracycline Hydrochloride Tablet Pharmaceutical Products. The following Tetracycline Hydrochloride tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

(1) Tetracycline Hydrochloride 250mg Tablet Form:	
Panmycin	Upjohn Company
Sumycin	E. R. Squibb & Sons
Tetrachel	Rachelle Laboratories
Tetracycline Hydrochloride	H. L. Moore Drug Exchange
Tetracycline Hydrochloride	Mylan Pharmaceutical

- (2) Tetracycline Hydrochloride 500mg Tablet Form:
 Panmycin Upjohn Company
 Sumycin E. R. Squibb & Sons
 Tetracycline Hydrochloride Mylan Pharmaceutical

Section 2. Tetracycline Hydrochloride Capsule Pharmaceutical Products. The following Tetracycline Hydrochloride capsule pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

- (1) Tetracycline Hydrochloride 250mg Capsule Form:
 Achromycin V Lederle Laboratories
 Bristacycline Bristol Laboratories
 Kesso-Tetra McKesson Laboratories
 Panmycin Upjohn Company
 QID-Tet Mallinckrodt Chemical
 Retet-250 Reid-Provident
 Robitet A. H. Robins Company
 SK-Tetracycline Smith, Kline & French
 Sumycin E. R. Squibb & Sons
 Tetrachel Rachelle Laboratories
 Tetracycline Hydrochloride Alliance Laboratories
 Tetracycline Hydrochloride Bocan Drug Company
 Tetracycline Hydrochloride Columbia Medical
 Tetracycline Hydrochloride Geneva Drugs, Ltd.
 Tetracycline Hydrochloride International Laboratories
 Tetracycline Hydrochloride H. L. Moore Drug Exchange
 Tetracycline Hydrochloride Mylan Pharmaceuticals
 Tetracycline Hydrochloride Paramount Surgical Supply Corp.
 Tetracycline Hydrochloride Parke-Davis
 Tetracycline Hydrochloride Philips-Boxane Laboratories
 Tetracycline Hydrochloride Purepac Pharmaceutical Co.
 Tetracycline Hydrochloride Rexall Drug Company
 Tetracycline Hydrochloride Wyeth Laboratories
 Tetracycline Hydrochloride Zenith Laboratories
 Tetracycline Pfizer Laboratories
 V-Tet Vanguard Laboratories
- (2) Tetracycline Hydrochloride 500mg Capsule Form:
 Achromycin V Lederle Laboratories, Inc.
 Bristacycline Bristol Laboratories
 Kesso-Tetra McKesson Laboratories
 Panmycin Upjohn Company
 QID-Tet Mallinckrodt Chemical
 Retet-500 Reid-Provident
 Robitet A. H. Robins Company
 SK-Tetracycline Smith, Kline & French
 Sumycin E. R. Squibb & Sons
 Tetrachel Rachelle Laboratories
 Tetracycline Hydrochloride Alliance Laboratories
 Tetracycline Hydrochloride Bocan Drug Company
 Tetracycline Hydrochloride Columbia Medical
 Tetracycline Hydrochloride Geneva Drugs, Ltd.
 Tetracycline Hydrochloride International Laboratories
 Tetracycline Hydrochloride H. L. Moore Drug Exchange
 Tetracycline Hydrochloride Mylan Pharmaceuticals
 Tetracycline Hydrochloride Paramount Surgical Supply Corp.
 Tetracycline Hydrochloride Parke-Davis
 Tetracycline Hydrochloride Philips-Boxane Laboratories
 Tetracycline Hydrochloride Purepac Pharmaceutical Co.
 Tetracycline Hydrochloride Zenith Laboratories
 Tetracycline Pfizer Laboratories
 V-Tet Vanguard Laboratories

Section 3. Tetracycline Hydrochloride Syrups and Pediatric Drops. The following Tetracycline Hydrochloride 125mg/5ml syrups and 100mg/ml pediatric drops are determined to be therapeutically equivalent, in each respective dosage:

- (1) Tetracycline Hydrochloride 125mg/5ml Syrups:
 Achromycin V Lederle Laboratories
 Kesso-Tetra McKesson Laboratories
 Panmycin Upjohn Company
 Retet-S Reid-Provident
 Robitet A. H. Robins Company
 SK-Tetracycline Smith, Kline & French
 Sumycin E. R. Squibb & Sons
 Tetrachel Rachelle Laboratories
 Tetracycline Hydrochloride Purepac Pharmaceutical Co.
 Tetracycline Hydrochloride Rexall Drug Company
- (2) Tetracycline Hydrochloride 100mg/ml Pediatric Drops:
 Achromycin V Lederle Laboratories
 Panmycin Upjohn Company
 Tetrachel Rachelle Laboratories

E. C. SEELEY, M.D., Chairperson

ADOPTED: February 20, 1975

APPROVED:

C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: April 15, 1975 at 3:58 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Al Austin, Kentucky Drug Paralegals Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
 Bureau for Health Services
 (902 KAR 3:005)

RELATES TO: KRS 222.210 to 222.230

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: Licensure or approval as applicable is required from the Department for Human Resources for organized programs offering or providing alcohol emer-

gency care, alcohol intermediate care, alcohol outpatient care, outreach, aftercare, and consultation and education, related to treatment for persons who have problems associated with alcohol.

Section 1. Definitions. As used in 902 KAR 3:005 to 902 KAR 3:050 unless the context otherwise requires:

- (1) "Department" means the Department for Human Resources.
 (2) "Secretary" means the Secretary of the Department for Human Resources.
 (3) "Triage" means prompt evaluation of all incoming clients to determine the nature of the problem, the level of urgency, identification of the kind of services needed and assignment for attention.
 (4) "SID" means situation, identification and disposition services.
 (5) "MAEDS" means medical alcohol emergency detoxification services.
 (6) "Para-Professional" means a service worker with current training in first aid who is also skilled in treating persons with problems associated with alcohol abuse and alcoholism.
 (7) "Organized Programs" as cited in "Necessity and Function" means non-hospital, non-medical treatment services.
 (8) "Alcohol" means beverage alcohol.
 (9) "Resident" means a person in treatment in a facility.

WILLIAM P. McELWAIN, Commissioner
 C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 3:54 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
 Bureau for Health Services
 (902 KAR 3:007)

RELATES TO: KRS 222.210 to 222.230

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: Licensure or approval as applicable is required from the Department for Human Resources for organized programs offering or providing alcohol emergency care, alcohol intermediate care, alcohol outpatient care, outreach, aftercare, and consultation and education, related to treatment for persons who have problems associated with alcohol.

Section 1. Organization and Administration. (1) Every program shall be organized so that overall fiscal and program responsibility is clearly established and this responsibility is vested in specifically designated individuals with authority to carry out administrative documentation of its source of authority.

(2) In the event that the governing authority is a private, non-governmental organization, it shall provide written documentation of its source of authority through charter, constitution and bylaws and, where required, its state license.

(3) The governing authority shall exercise general direction and establish policies concerning the operation of the program. There shall be documentation of the methods and procedures used by the governing authority to exercise general direction and establish policies concerning the operation of the program. This documentation shall include the means by which the governing authority provides for the election or appointment of its officers and the appointment of committees necessary to effect the discharge of its responsibilities. The governing authority shall document the adoption of a schedule of meetings, attendance requirements, and minutes of all meetings.

(4) There shall be documentation verifying that the policies of the governing authority are reviewed and updated at least annually; that the policies are distributed to all staff; and are available to any other individual or group upon request.

(5) The governing authority shall document the delegation of authority and responsibility to an executive officer for the management of the program in accordance with established policy.

(6) The governing authority or the chief officer shall provide a policy manual which describes the regulations, principles and guidelines that determine the program's operation. There shall be documentation verifying this policy manual is reviewed and updated at least annually. This policy manual shall be available to all staff and to the general public upon request. There shall be documentation verifying that the policies are in compliance with current local, state and federal laws and regulations.

(7) There shall be documentation on file with the program verifying that the program conforms with all current local, regional and state comprehensive planning regulations for human services and current federal, state and local licensing requirements. The relationship of the program's planning process to each of the above shall also be documented.

(8) The program shall maintain a current written schedule of rate and charge policies which have been approved by the governing authority.

(9) The fiscal management system shall have an audit of financial operation of the program with regulations promulgated by the responsible government agency. Reports of such

audits shall be reviewed and approved by the governing authority.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 3:54 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 3:010)

RELATES TO: KRS 222.210 to 222.230

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: Licensure or approval as applicable is required from the Department for Human Resources for organized programs offering or providing alcohol emergency care, alcohol intermediate care, alcohol outpatient care, outreach, aftercare, and consultation and education, related to treatment for persons who have problems associated with alcohol.

Section 1. Licensing and approval procedures. Applications for approval and licensing shall be obtained from and submitted to the Department for Human Resources, Frankfort, Kentucky 40601.

(1) Applications for approval shall be obtained by a department, agency, or institution of the Commonwealth or any political subdivision thereof. Application for licensure shall be filed by all alcohol treatment programs with the following exceptions:

- (a) Group meetings organized among alcoholics, recovered alcoholics or alcohol abusers, held on a non-residential basis and without professional staff intervention, for the purpose of discussing problems related to use of alcohol where no fee is involved.
- (b) Programs addressed solely to the public problems of drinking and driving where such programs are conducted independently of other programs subject to regulation.
- (c) Programs conducted in a facility established and maintained by a licensed hospital, department, agency or institution of the federal government or the Commonwealth or of any political subdivision thereof.

(2) The department shall notify the applicant alcoholism program of any licensure action taken, and shall provide written reports containing recommendations for correction of observed deficiencies as they relate to the standards. Copies of these reports shall be forwarded to the head of the governing body, chief executive officer, and if applicable, the head of the organized medical or professional staff.

(3) Licensure is not transferable. Both the license holder and the new operator shall be responsible to notify the department when a licensed alcoholism program changes ownership or control or undergoes a major change in its capacity or in the category(ies) of services offered, with disclosure of all factors involved in the change. If it is the decision of the department that a re-application is in order the applicant shall apply within twenty (20) days of notification by the department. Failure to comply with these provisions shall result in loss of license.

(4) The department shall be notified in writing prior to the merger of a licensed alcoholism program with another program and an immediate request for licensure be filed with the department. The merged alcoholism program shall be surveyed within one (1) year of such notification. For the purposes of licensure, a merged alcoholism program is one with a single governing body, a single administration, a single staff, and, where applicable, a single set of bylaws, rules and regulations.

(5) A certificate of licensure shall be provided to an alcoholism program that is granted a license. The certificate shall specify all the service components and additional categories of service provided by the alcoholism program surveyed, and the year in which license is granted.

(a) The initial certificate or new certificate reflecting a change in name of the alcoholism program or change in the service components or additional category(ies) of service licensed shall be provided without charge.

(b) An alcoholism program may be provided additional certificates upon payment of the cost of reproduction. The certificate and all copies shall remain the property of the department and must be returned to the department if the alcoholism program is issued a new certificate reflecting a change in name or services for which it is licensed, or if it loses its license for any cause.

(6) The department will periodically publish and distribute lists of licensed alcoholism programs.

(7) Approval to any department, agency, or institution of the Commonwealth or any political subdivision thereof shall be granted for a period not exceeding two (2) years and renewable for a like period, and subject to revocation for cause.

(8) Licenses to other programs shall be required and granted to individual non-government applications deemed responsible and suitable to carry out alcohol programs meeting applicable standards and requirements for a period not exceed-

ing two (2) years and renewable for a like period, and subject to revocation for cause.

(9) Conditional, temporary, or limited licenses and approvals may be granted at the discretion of the secretary where extenuating circumstances justify.

(10) Two (2) types of licenses shall be issued:

(a) A comprehensive license shall be issued to a program which directly provides outpatient, outreach, aftercare, consultation and education services, plus, by either direct or through an affiliation agreement, emergency, and intermediate services. There shall be adequate documentation of this affiliation agreement.

(b) Unit license. An independent program that meets the requirements of individual components of service, such as emergency, intermediate, outpatient, outreach, aftercare, consultation and education. A program qualifying for a Unit license may or may not affiliate with the comprehensive service.

(11) There shall be an appropriate fee schedule for approvals or licenses.

(12) Hearing procedures involving licenses shall be conducted in accordance with KRS 222.230(6).

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 3:54 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 3:015)

RELATES TO: KRS 222.210 to 222.230

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: Licensure or approval as applicable is required from the Department for Human Resources for organized programs offering or providing alcohol emergency care, alcohol intermediate care, alcohol outpatient care, outreach, aftercare, and consultation and education, related to treatment for persons who have problems associated with alcohol.

Section 1. General Program Operation. (1) Each service component shall have a written description of its treatment philosophy, objectives, organization and triage process including:

- (a) Specifications of the lines of authority.
- (b) Definitions of the roles and responsibilities of all service personnel including the names of individuals in charge of each service component.
- (c) Delineation of the inter-relationships of the service component and its personnel with other service providers.
- (d) Hours of operation for each service component.
- (e) The description of the triage process shall include but not be limited to a delineation of the methods by which each service component, upon contact with incoming persons, identifies and evaluates the problem, determines its level of urgency, determines appropriate services to be performed, and assigns the person for appropriate attention.

(2) Services directly available on a twenty-four (24) hour basis shall include but not be limited to, triage processing and telephone information and referral.

(3) Each service component shall keep a record for each person receiving service. Sufficient information shall be provided to assure appropriate case management and statistical data to meet state and national data requirements.

(4) A written treatment plan and provisions made for modifying such plan when indicated shall be prepared for every person accepted for service, and regular evaluation of each person's progress toward and achievement of individual treatment goals shall be noted. Methods for measuring progress toward attainment of objectives shall be described.

(5) All counseling and group therapy approaches shall be coordinated and supervised by persons with demonstrated competence and training in these techniques.

(6) Before discharging a client from its services or program, the treatment agency shall review the client's case and prepare a written discharge plan. Periodic follow-up contacts after discharge shall be made and recorded.

(7) Every service component shall conduct a regular utilization review of program operations.

(8) Measures to ensure confidentiality shall be observed in compliance with applicable state and federal laws, and regulations, safeguarding against disclosure of private and privileged information.

(9) Admission policies shall be part of a written plan and shall ensure that no one shall be denied admission because of race, creed, sex, or national origin.

(10) Procedures shall be established and implemented to ensure continuity in referrals between intake points and other service elements either within or outside of the program.

(11) Provisions shall be made to develop and maintain effective relationships with community agencies such as law enforcement, judiciary, youth services, health departments,

vocational rehabilitation and other civic groups, agencies or services.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 3:55 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 3:020)

RELATES TO: KRS 222.210 to 222.230

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: Licensure or approval as applicable is required from the Department for Human Resources for organized programs offering or providing alcohol emergency care, alcohol intermediate care, outreach, aftercare, and consultation and education, related to treatment for persons who have problems associated with alcohol.

Section 1. Clients' Rights. There shall be written policies and procedures designed to enhance dignity of all clients and to insure confidentiality to protect their rights as human beings. These written policies and procedures shall include but not be limited to the following standards:

(1) Documentation of procedures to inform all clients of their legal and human rights. This documentation shall include but not be limited to a delineation of the procedures by which opportunities are provided to enable clients to exercise their civil duties, e.g., the program shall assure the opportunity to vote, if a client is eligible.

(2) Physical restraints or seclusion shall be used only in extreme cases to protect the client from injuring himself or others, and only when all other alternatives are exhausted.

(3) The alcoholism program shall provide the clients with means of communicating with persons outside the program by sending and receiving phone calls and mail.

(4) There shall be written policies and procedures for reviewing and responding to client's communications, e.g., opinions, recommendations and grievances, in a way that will foster and preserve the therapeutic aspects of conflict resolution and problem solving.

(5) There shall be procedures designed to protect the client's rights and privacy with respect to facility visitors. The client shall be informed in advance of such visitation which shall be conducted so as to minimally interrupt the client's usual activities and therapeutic programs.

(6) Self administration of medication shall be permitted in non-hospital programs when the client has a current prescription from a physician.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 3:55 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 3:025)

RELATES TO: KRS 222.210 to 222.230

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: Licensure or approval as applicable is required from the Department for Human Resources for organized programs offering or providing alcohol emergency care, alcohol intermediate care, alcohol outpatient care, outreach, aftercare, and consultation and education, related to treatment for persons who have problems associated with alcohol.

Section 1. Fiscal Management. (1) Current written policies and procedures shall be maintained regarding the operations of the fiscal management system. There shall be written policies and procedures governing the control of inventories, including purchasing authority and procedures, product selection and evaluation, and supply storage and distribution. There shall be written policies and procedures for the control of accounts receivable for handling cash, for credit arrangements, and for discounts, write-offs, and billings. Records shall be maintained as documentary evidence of compliance with these established policies and procedures.

(2) Adequate security for the client's personal property shall be provided.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 3:56 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 3:030)

RELATES TO: KRS 222.210 to 222.230

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: Licensure or approval as applicable is required from the Department for Human Resources for organized programs offering or providing alcohol emergency care, alcohol intermediate care, alcohol outpatient care, outreach, aftercare, and consultation and education, related to treatment for persons who have problems associated with alcohol.

Section 1. Personnel. (1) Policies shall be developed and applied in the program to establish and maintain appropriate minimal qualifications for all staff positions. Assurances shall be given to the secretary that no employee or prospective employee shall be discriminated against solely on the basis of race, color, creed, sex, national origin, or prior condition of alcohol abuse or alcoholism.

(2) There shall be written job descriptions for all positions setting forth the qualifications, reporting supervisor, positions supervised and duties.

(3) The written personnel policies and practices shall describe methods and procedures for the supervision of all personnel, including volunteers.

(4) The written personnel policies and practices shall include a mechanism consistent with due process for suspension and dismissal of an employee for cause including a written statement of policies and procedures for handling cases of neglect or abuse of clients.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 3:55 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 3:035)

RELATES TO: KRS 222.210 to 222.230

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: Licensure or approval as applicable is required from the Department for Human Resources for organized programs offering or providing alcohol emergency care, alcohol intermediate care, alcohol outpatient care, outreach, aftercare, and consultation and education, related to treatment for persons who have problems associated with alcohol.

Section 1. Evaluation. (1) The written statement of the program's goals and objectives, developed as a result of the planning process, shall serve as the basis for a written evaluation plan.

(2) The program evaluation plan shall be reviewed and updated at least annually; shall be available to all personnel; shall document evidence verifying that the results of the evaluation process become part of the continuous planning process.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 4:13 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 3:040)

RELATES TO: KRS 222.210 to 222.230

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: Licensure or approval as applicable is required from the Department for Human Resources for organized programs offering or providing alcohol emergency care, alcohol intermediate care, alcohol outpatient care, outreach, aftercare, and consultation and education, related to treatment for persons who have problems associated with alcohol.

Section 1. Physical requirements; residential facilities. The site, size, and design of the property and building, whether rented, purchased or constructed, shall be adequate for the immediate and projected program; including the following:

(1) Compliance with current fire, safety and health standards which are established by state and local laws and regulations, applicable to the particular facility.

(2) Provision of adequate lighting, heating, heated water, ventilation, toilet facilities, living space, dining facilities and pest control.

(3) Adequate laundry facilities, for residents, adequate recreation area, lounge and visiting space and sleeping areas.

- (4) There must be appropriate space to house personal belongings and adequate linen closets.
- (5) Proper housekeeping and sanitation procedures must be observed at all times.

Section 2. Physical requirements; non-residential facilities. The site, size, and design of the facility serving as the base for non-residential services shall be adequate for the delivery of the services offered; including the following:

- (1) The location of the facility entry, and waiting room accommodations shall be such as to facilitate accessibility through proximity to public transportation and provision of a congenial receptive atmosphere in the initial contact and intake stages.
- (2) The facility shall conform to current fire, safety and health standards established by state and local laws.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 3:55 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 3:045)

RELATES TO: KRS 222.210 to 222.230

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: Licensure or approval as applicable is required from the Department for Human Resources for organized programs offering or providing alcohol emergency care, alcohol intermediate care, alcohol outpatient care, outreach, aftercare, and consultation and education, related to treatment for persons who have problems associated with alcohol.

Section 1. Dietetic Services. (1) Every alcoholism program that provides twenty-four (24) hour care shall have a written plan describing the organization and delivery of dietetic services, in compliance with current state and local laws and regulations applicable to the particular facility.

(2) To insure that the dietetic service is client-oriented the program shall make provision for clients with special dietary needs. Pertinent dietetic treatment shall be maintained in the client's records.

(3) There shall be provisions for snacks.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, SECRETARY

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 3:56 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 3:050)

RELATES TO: KRS 222.210 to 222.230

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: Licensure or approval as applicable is required from the Department for Human Resources for organized programs offering or providing alcohol emergency care, alcohol intermediate care, alcohol outpatient care, outreach, aftercare, and consultation and education, related to treatment for persons who have problems associated with alcohol.

Section 1. Alcohol Emergency Care. (1) Description. Provides twenty-four (24) hour availability of the following services to all persons and their families with problems related to alcohol use and abuse: immediate evaluation and care; supervision of the person by properly trained staff until they are no longer incapacitated by the effects of alcohol; evaluation of needs leading to the development of a plan for continuing care; and effective transportation services. These services must have medical support services on call or through immediate referral.

(2) Purpose. Provide immediate attention or treatment to a person incapacitated by the effects of alcohol.

(3) Situation, Identification and Disposition Services (SID).

- (a) Description. Must have service availability twenty-four (24) hours a day where person with alcohol abuse problems can obtain sobering-up assistance as well as other appropriate assistance. The SID component must have overnight accommodations available to a person in need who is not referred to another component and cannot be cared for elsewhere in a period not to exceed five (5) days. In the process, the person's alcohol abuse situation will be assessed, immediate need identified and appropriate referral made by the SID service staff. When required, medical services will be provided through referral or on call arrangements with qualified

medical organizations or physicians.

- (b) Purpose. Provides an entry point into a system of treatment and rehabilitation services for persons with problems involving alcohol abuse and alcoholism; a sobering-up station as an alternative to incarceration; a means for screening individuals with apparent problems, to determine their needs and arrange appropriate disposition and a referral and information source to professionals and the community for alcoholism services. The SID provides an outreach capability through its identification of persons with problems, its relationships to many referral agencies in the community and its ability to enter its client easily into the entire service system.

1. The SID must have capability of immediate referral for medical support services.
2. Supervision of the person by properly trained staff until they are no longer incapacitated by the effects of alcohol.
3. Evaluation of needs leading to the development of a plan for continuing care.

(c) Standards of operation. In addition to the applicable requirements of general program standards, the following special program standards are established:

1. Admission, transfer, discharge, and referral procedures must be established in writing and adhered to in practice. Admission forms and referral forms approved by the department must be used.
2. An operative referral agreement must be maintained with a MAEDS or other services.
3. Short-term counseling and therapy shall be provided as needed to eligible clients.
4. Each SID shall be equipped with recreational program capability.
5. Alcohol education services shall be offered, as well as information to clients and to relatives about available community resources.
6. During the period of the client's stay, the SID service shall be equipped to provide on the premises basic necessities; food, shelter, and clothing as needed.
7. Provisions shall be made for security for personal possessions of the clients and mechanisms for accounting for same. Staff taking responsibility for security must be bonded.
8. A SID must have a written description of its twenty-four (24) hours triage process.

(d) Staffing:

1. The total number of staff members to be determined according to administrative needs shall include no less than nine (9) recovery aides and one (1) unit manager. This staff may include volunteers.
2. Staff shall be comprised of para-professionals with sufficient experience and training in alcohol abuse and ability to use good judgment and to spot life-threatening situations.
3. Staff shall have a working knowledge of alcohol problems and shall have received a minimum of ten (10) hours of first aid procedures. With one (1) year of employment every staff member should have attended a school of alcohol studies approved by the department.

(4) Medical Alcohol Emergency Detoxification Services (MAEDS). This unit will operate under current regulations adopted by the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board as applied to medical alcohol emergency detoxification services.

(5) Other Emergency Services. Standards for other emergency services for alcohol-related problems are cited in KRS Chapter 216 and KRS 222.240, and Kentucky Administrative Regulations adopted thereunder.

Section 2. Alcohol Intermediate Care. (1) General guidelines:

- (a) Description. Alcoholism treatment services in a full twenty-four (24) hour residential milieu therapy setting, or a partial residential milieu therapy setting (less than twenty-four (24) hours).

(b) Purpose. To facilitate the rehabilitation of the alcoholic person by placing him in an organized therapeutic environment in which he may receive diagnostic services, counseling, vocational rehabilitation or work therapy while benefiting from the support which a full or partial residential setting can provide.

(c) Standards of operation:

1. The intermediate care component shall have a written plan describing its treatment philosophy, objectives and organizations.
2. There shall be documentation verifying that a medical evaluation has been completed.
3. An evaluation of the social/psychological needs of the client shall be completed prior to the development and implementation of a treatment plan.
4. There shall be a written, individualized treatment plan based on the social/psychological evaluation and, if applicable, the medical evaluation.
5. There shall be trained staff and supporting personnel to perform the services of the intermediate care component.
6. There shall be documentation verifying that the intermediate care component facility meets current federal, state and local laws and regulations con-

cerning requirements for space, equipment and supplies.

7. The intermediate care component may provide an area in which patients can meet with outside community service providers, e.g., AA, Al-Anon, etc., who assist in fulfilling the goals and objectives of the treatment plan.
 8. There shall be budgetary documentation verifying the sufficiency of funding for the intermediate care component.
- (2) Full intermediate:
- (a) Description. A program providing a therapeutic environment for full-time residents for a designated period of time.
 - (b) Standards of operation. In addition to the applicable requirements of the general program standards, the following special program standards are established:
 1. The program shall provide when indicated group counseling, family counseling, rehabilitative, vocational, occupational, recreational, and individual counseling, opportunities for introduction to Alcoholics Anonymous, Al-Anon, Al-Teen.
 2. Each resident admitted shall have a physical examination within forty-eight (48) hours unless there is evidence of a physical exam within five (5) days prior to admission, to include necessary laboratory and x-ray examinations.
 3. Each resident admitted shall have a psychological examination within ten (10) days of admission and, when indicated, a psychiatric evaluation.
 4. No more than forty (40) residents shall be housed in any one facility of the program.
 5. Each program shall offer an alcohol education program for residents.
 6. Intensive group and individual counseling shall be conducted under the supervision of the qualified personnel.
 7. Evidence shall be shown of contractual agreement and affiliate arrangements for follow-up.
 8. Possessions shall be made for security for personal possessions of the residents and mechanisms for accounting for the same.
 - (c) Staffing:
 1. The residential program shall have a full-time staff or at least twelve (12) persons including the resident manager, per forty (40) residents. This staffing pattern may be reduced by one (1) staff person for every reduction for ten (10) residents, as long as logistical support is adequately provided.
 2. The program shall be operated by staff specially trained in alcohol treatment procedures as certified by the department.
 3. An interim manager with similar qualifications to the resident manager shall assume responsibility in the manager's absence.
- (3) Partial Intermediate:
- (a) Description. Category of treatment provided in a residential setting for an unlimited stay operating twenty-four (24) hours a day, seven (7) days a week and offering services to facilitate the rehabilitation of the alcoholic by placing him in an organized therapeutic environment in which he may receive counseling, vocational rehabilitation or work therapy.
 - (b) Standards of operation. In addition to the applicable requirements of general program standards, the following special program standards are established:
 1. Organization and administration. The aftercare residential program shall have a resident manager with proper qualifications and an interim manager similarly qualified to assume responsibility in the manager's absence.
 2. Admission, policies and procedure for client treatment and care. The program shall have written operating policies for admissions, transfers, discharges, resident rehabilitative programs, house rules, referrals, etc.
 3. Progress of individual residents shall be reviewed at least quarterly.
 - (c) Support services. Adequate treatment coverage shall be provided in the following areas as needed through affiliation or cooperative arrangements:
 1. Psychiatric supervision and consultation,
 2. Emergency treatment,
 3. Social services to include inter-agency coordination, family services, referral for financial assistance, etc.
 4. Rehabilitation services to include vocational guidance, counseling, job placement and coordination of vocational program information and activities,
 5. Emergency medical and dental care,
 6. Nursing services and consultation,
 7. Dietary supervision and consultation,
 8. Medical, dental, and pharmaceutical consultation, and
 9. Recreation to include an adequate program of creative activities for residents.
 - (d) Security provisions. Provisions shall be made for security for personal possessions of the clients and mechanisms for accounting for same.
 - (e) Staffing. Residence programs should include at least the following as permanent staff:

1. Resident manager who is responsible for the day to day management of the program, for implementation of program policies and procedures, include planning, coordination, and supervision of residence affairs and activities for general program administration.
2. A relief manager with the same qualifications as the regular manager and available to serve in the absence of the regular manager. This will include vacation periods, sick leave, and normal off-duty hours.

Section 3. Alcohol Outpatient Care. (1) Description. The process of providing non-residential alcoholism treatment services on both a scheduled and non-scheduled basis. The treatment program offers therapeutic services for the treatment and rehabilitation of individuals with problems involving alcohol abuse and alcoholism. It may be on a basis of scheduled brief visits; it may be in a milieu therapeutic environment on a partial day or night basis or it may include unscheduled visits. As and when required, medical services will be provided through contractual arrangements or cooperating agreements with qualified physicians.

(2) Purpose. To provide a variety of diagnostic and primary alcoholism treatment services on a scheduled and non-scheduled basis according to a prescribed plan in an outpatient setting to alcoholic persons and their families whose physical and emotional status allows them to function in their natural environment.

(3) Standards of operation. In addition to the applicable requirements of the general program standards, the following special program standards are established:

- (a) The program shall have an active community outreach capability for purposes of case-finding, early identification of problems, and treatment of alcohol abuse or alcoholism.
- (b) The program shall include the development of contracts with other care-giving agencies for referral purposes. Developing and maintaining an up-to-date directory of all available resources in this and related fields is advisable where no such directory exists.
- (c) The program shall include, but not be limited to, crisis intervention, individual and group therapy, counseling, appropriate contacts with families of clients, the presentation of possible and acceptable alternatives to drinking, involvement in community programs, inter-agency referral, follow-up.

Section 4. Outreach. (1) Description. Method of reaching into a community systematically for the purposes of identifying persons in need of services, alerting persons and their families to the availability of services, locating needed services, and enabling persons to enter and accept the service delivery system.

(2) Purpose. To facilitate identification (within a target population) of persons and their families who have problems related to the use of alcohol, enable procurement of alcoholism services, and alert all public and private human agencies, who serve the same target population, of the importance of early identification and easy access to the service delivery system.

(3) Standards of operation:

- (a) The outreach component shall have a written plan describing its service philosophy, objectives and organization which includes a description of the role and responsibility of staff and lines of authority.
- (b) The plan shall include a description of the objectives of the component's services. The indicators used to measure progress toward attainment of objectives shall be described.
- (c) There shall be documentation of annual review, updating and approval of the organization plan, service philosophy and objectives of the governing body, executive director and representatives of the service and administrative staffs. There shall be documentation verifying that each staff member has received a copy of the written plan.
- (d) There shall be documentation for:
 1. Methods of identifying persons in need of services, locating services to meet their needs and assisting them in entering the service delivery system, insuring contact at the point of entry.
 2. Alerting relevant agencies and individuals of the importance of early detection, especially with high risk populations and of their role as casefinders.
 3. Maintaining liaison and interaction with all relevant community organizations and agencies.

Section 5. Aftercare. (1) Description. Designed to provide care to clients who have progressed sufficiently through emergency, intermediate, or outpatient services to a point in their recovery where they will benefit from a level of continued contact which will support and increase the gains made to date in the treatment process.

(2) Purpose. Continued support through regular or periodic contacts to assure to the client availability of services.

(3) Standards of operation. The aftercare component shall have a written plan describing its organization, service philosophy and objectives which:

- (a) Describe the role and responsibility of staff and delineation of lines of authority.
- (b) The plan shall include a mechanism for the care of clients who may require or desire services unavailable

able through this component. Alternative resources for unavailable services shall be listed as described.

- (c) The plan shall include a description of services. The indicators used to measure progress toward attainment of objectives shall be described.
- (d) The service plan shall include but not be limited to the methods and procedures whereby the needs of the individual are met by the aftercare staff through direct services or assistance in contacting other community human service resources.
- (e) The service plan shall have provisions for periodic review and updating.
- (f) The plan shall include provision for referral to another aftercare agency in the event of client relocation, and a means for insuring contact.

Section 5. Consultation and Education. (1) Consultation:

- (a) Description: The act of providing information or technical assistance to a particular group or individual seeking resolution of a specific problem.
- (b) Purpose. Provide to the individual or group seeking aid the requisite skills to cope more adequately with issues involving care or program management.
- (c) Standards of operation:
 - 1. The consultation service shall have a written plan describing the procedures by which the consultation needs of community groups or agencies are assessed and the goals and objectives derived from the assessed needs and also describing the organization and procedures for implementing the goals and objectives.
 - 2. There should be documentation verifying agreements between the consultation service and participating community groups or agencies.
 - 3. There shall be a written plan for the training of all personnel in the consultation service.
 - 4. There shall be budgetary documentation verifying the sufficiency of funding for the consultation service.

(2) Education:

- (a) Description: The dissemination of relevant information specifically aimed at increasing the awareness, receptivity and sensitivity of the community and stimulating social action to increase the services provided for people with problems associated with the use of alcohol.
- (b) Purpose. To convey on a regular and planned basis a philosophy that increases community understanding of the nature of the use and abuse of alcohol, its treatment and prevention, and the human and legal rights of the population at risk, as well as to inform the public of existing alcoholism resources and to gain public support for the development of additional resources.
- (c) Standards of operation:
 - 1. The education service shall have a written plan describing the philosophy and goals of the program, the services available and means by which the community's understanding of alcohol use and abuse is increased.
 - 2. There shall be a written plan for the training of all personnel in the education service.
 - 3. There shall be budgetary documentation verifying the sufficiency of funding for the education service.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 3:56 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES Bureau for Health Services (902 KAR 6:010)

RELATES TO: KRS 210.440, 210.450

PURSUANT TO: KRS 210.450

SUPERSEDES: DMH-16

NECESSITY AND FUNCTION: KRS 210.440 and 210.450 authorizes the Department for Human Resources to establish Local Mental Health-Mental Retardation District Boards to act as the authority for planning and administration of grants for all local programs relating to mental health, mental retardation, alcohol and drugs.

Section 1. All grants for local programs in mental health and mental retardation carried on under the auspices of the Department for Human Resources shall be directed to those district mental health-mental retardation boards recognized as such by the Department for Human Resources, Bureau for Health Services. For purposes of carrying on the delegated district responsibilities of the Department for Human Resources, Bureau for Health Services, these district mental health-mental retardation boards become the local authority. Recognition as such will be renewed annually.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 4:06 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES Bureau for Health Services (902 KAR 6:020)

RELATES TO: KRS 210.450, 210.370, 210.120

PURSUANT TO: KRS 210.450

SUPERSEDES: DMH-16

NECESSITY AND FUNCTION: KRS 210.450 gives the Department for Human Resources the authority to set the standards and regulations for the Community Mental Health Center personnel files.

Section 1. Personnel Files. A personnel file shall be initiated and maintained at the center for each employee of the district board. The minimum contents of a personnel file shall be:

- (1) Application for employment completed by employee. Center may design its own form or may use state personnel application form which will be supplied upon request.
- (2) Professional credentials to reflect training and experience adequate for qualification for the position to which the applicant aspires. These should include any licensing certificate or other pertinent documents as applicable.
- (3) Advice of appointment or such suitable document or memorandum from the appropriate center official appointing said applicant to the position. This document shall contain conditions or terms of employment with signatures of employer and employee accepting said conditions.
- (4) All forms used for participation in Kentucky's Employees' Retirement System or other retirement system.
- (5) Personnel action report of all change in status of employee (salary change, transfer, promotion, leave, leave without pay, reclassification, change in position title, etc.).
- (6) Personnel action report reflecting termination of employment, e.g., resignation, dismissal, etc., shall appear in each terminated personnel file.
- (7) There shall be for each position or class of positions (professional, administrative and clerical) a position description setting forth:
 - (a) The title of the position;
 - (b) The duties of the position;
 - (c) Requirements of training and experience necessary to qualify for the position; and
 - (d) A brief description of additional skills or special knowledge desirable which the applicant should possess.
- (8) There shall be for each position or class of positions (professional, administrative and clerical) an established salary level.

Section 2. Of the foregoing items, copies of the following shall be forwarded to the Secretary of the Department for Human Resources:

- (1) Job specifications,
- (2) Salary or rate of pay and pay level,
- (3) Application for employment,
- (4) Credentials and license certificate or other pertinent data,
- (5) Advice of appointment or contractual agreement,
- (6) Copies of necessary retirement documents,
- (7) Copy of any change in status while occupant is in position (promotion, salary change, suspension, maternity leave, extended sick leave, or leave of absence),
- (8) Copy of termination document.

Section 3. Personnel Policies. Each district board shall initiate and maintain a set of personnel policies for the governance of all center staff members. A copy of such policies shall be filed with the Department for Human Resources together with subsequent revisions as they might occur. Such personnel policies shall include the following areas of personnel administration:

- (1) Leave policies,
- (2) Salary policy; Wage and Price Administration,
- (3) Conditions of termination,
- (4) Outside employment; outside practice for professionals,
- (5) Staff development and continuing education provisions,
- (6) Fringe benefits,
- (7) Reimbursable expenses,
- (8) Employee grievance procedures,
- (9) Employee performance evaluations,
- (10) Method of salary increments,
- (11) Indicate compliance with appropriate federal and state regulations.

Section 4. Additional Statements. (1) Applicants for center position already working for the Department for Human Resources may not accept additional employment without the express written consent of the Secretary of the Department for Human Resources. This permission must be secured by the applicant (employee) in writing. District boards must have this written consent in hand before tendering offers of employment.

(2) Copies of state statutes relevant to mental health-mental retardation boards may be obtained from the Secretary of the Department for Human Resources and kept on file by the mental health-mental retardation board.

(3) Copies of regulations promulgated by the secretary under provisions of the above statutes shall be obtained from the Secretary of the Department for Human Resources and kept on file by the mental health-mental retardation board.

(4) Time and attendance records: adequate records shall be maintained by each center certifying days or hours worked and

leave taken for each and all employees of the center. These records will be subject to state and federal audit.

(5) An organization's chart(s) shall be filed by each district center indicating administrative authority and clinical authority.

(6) Any employee shall be provided access to any reasonable document pertaining to the corporation or to his rights as an employee.

(7) The center shall comply with all current federal regulations pertaining thereto, for example, Fair Labor Standards Act, Occupational Safety and Health Act, Workmen's Compensation, etc., except where state regulations supersede these.

(8) Centers shall take into consideration current Health, Education and Welfare regulations relevant to personnel in community mental health centers.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 4:06 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 6:030)

RELATES TO: KRS 210.450, 210.410, 210.400

PURSUANT TO: KRS 210.450

SUPERSEDES: DMH 25-2

NECESSITY AND FUNCTION: KRS 210.450 empowers the Secretary of the Department for Human Resources to promulgate rules and regulations governing eligibility of community mental health boards to receive state grants. Consistent with this authority, this regulation establishes the minimum eligibility requirements for receipt of state grants for community mental health programs.

Section 1. Application by non-profit corporations. Definitions. As used herein, unless the context otherwise requires the term:

(1) "Board of directors" or "board" means the group of persons vested with the management of the affairs of the corporation irrespective of the name by which group is designated.

(2) "Director" means a member of the "board of directors."

(3) "Articles of incorporation" means the original or restated articles of incorporation or articles of consolidation and all amendments thereto, including articles of merger.

(4) "Bylaws" means the code or codes or rules adopted for the regulation or management of the affairs of the corporation irrespective of the name or names by which such rules are designated.

Section 2. A non-profit corporation requesting recognition from the Secretary of the Department for Human Resources as a district mental health-mental retardation board for the purpose of obtaining state grant funds, shall annually submit to the secretary, not later than the first day of April of the year preceding the fiscal year for which applicant requests recognition and application approved by its board of directors, which contains documentation and agreements satisfying the following requirements:

(1) Articles of incorporation as a non-profit corporation in compliance with Kentucky statutes.

(2) Written statement by the applicant that it will provide at least four (4) of the service prerequisites set forth in KRS 210.410, and that such services will be provided in each of the geographic catchment areas, as established by the Department for Human Resources plan, in which the board proposed to provide service.

(3) Written agreements to operate in accordance with the regulations of the Department for Human Resources and regulations and statutes of the Commonwealth of Kentucky affecting operations, and to comply with Title VI of the 1966 Federal Civil Rights Law.

(4) Articles of Incorporation or corporate bylaws which meet the requirements of this regulation as set forth in this subsection:

(a) A provision establishing the location of a principal office of business of the organization.

(b) A provision declaring the purposes of organization to include concern for mental illness, mental health, mental retardation, alcoholism and drug abuse addiction, and the carrying out of all functions set forth in KRS 210.400 (including that the board will act as administrator of the program).

(c) A provision setting forth the organization, duties and powers of the board of directors.

(d) A provision establishing membership criteria for the board of directors of at least the following:

1. Not less than twenty-one (21) nor more than thirty-five (35) board members (except in the case of multiple catchment area boards; see subparagraph 3. below) who shall have demonstrated interest in mental health, mental illness, mental retardation, developmental disabilities, alcoholism and/or drug abuse addiction. At least one-fourth (1/4) of such members shall have indicated their primary interest as mental retardation and/or developmental disabilities.

2. All directors shall reside within the geographic catchment area; directors shall be so selected as to provide at least one (1) representative from each county encompassed in the region to be served.
3. When applicant proposes to serve a district containing multiple catchment or grant areas, the membership requirement of the board of directors set forth above shall be modified as follows:
 - a. Not less than twenty-five (25) nor more than thirty-five (35) members;
 - b. All directors selected shall have residential addresses in the respective geographic catchment areas as indicated below:
 - (i) When applicant services two (2) catchment areas, one (1) catchment area may have a majority of one (1) member.
 - (ii) When applicant serves three (3) catchment areas, a minimum of eleven (11) members shall reside in each catchment area.
 - (iii) When applicant serves four (4) catchment areas, a minimum of eight (8) members shall reside in each catchment area.
 - (iv) The board of directors shall contain at least one (1) director from each county in each catchment area.
4. One-third (1/3) of the membership of the board of directors shall be elected annually. A maximum of two (2) consecutive three (3) year terms may be served by any director.
5. No person occupying a remunerated position who would have authority to pass upon the levy or disbursement of tax funds or approval of governmental grants for financial support of the applicant's program shall be a member of the board of directors of the applicant.
6. The regional board shall solicit assurances from individual board members satisfying itself that no position of employment, appointment or elected office held by any board member in any other organization would necessarily require the member to reflect that organization's viewpoint in matters of business coming before the district board.
7. No member of the immediate family of a board member shall be employed in a service funded by the board unless prior approval of majority of the entire board. Immediate family shall be construed to include a spouse, sons, daughters, mother, father, brothers, sisters and grandparents. This provision shall not apply retroactively to the effective date of this regulation.
- (e) A provision establishing procedures governing the conduct of the board of directors which shall include the following requirements:
 1. Schedules of meetings of the board of directors; the board shall meet at least six (6) times per year. An annual meeting date for election of officers shall be specified.
 2. Quorum requirements for meetings of the board of directors.
 3. Restrictions on compensation of members of the board of directors.
 4. Procedures for removal of directors who are excessively absent from board meetings.
 5. Procedures for filling of vacancies at times other than annual meetings including the role of the nominating committee shall be specified.
- (f) A provision regarding the selection and functioning of officers of the applicant including the following:
 1. Designation of the officers of the applicant.
 2. Specifications of the duties and terms of officers.
 3. Specifications of the method by which officers shall be selected, including a requirement that all officers shall be selected, including a requirement that all officers be elected from the membership of the board of directors.
 4. Designation of dates for the assumption of duties by officers.
 5. A restriction prohibiting officers from also serving as chairmen of the standing committees of the applicant's board of directors; except that the president shall be permitted to serve as chairman of the executive committee.
- (g) A provision establishing the following standing committees (as a minimum) and including a description of their functions and responsibilities, meeting schedules, and the procedures for designating their members:
 1. Executive committee: composed of at least twenty-five (25) percent of the membership of the board of directors and shall include all officers and chairmen of standing committees of the board.
 2. Finance committee: composed of at least the treasurer and three (3) other members of the board.
 3. Personnel committee: composed of at least twenty (20) percent of the membership of the board. When a board operates multiple catchment area programs, the personnel committee membership shall reflect as equal a representation of the catchment areas as is mathematically possible.
 4. Nominating committee: composed of not less than six (6) persons. The function and responsibility of this committee shall include ensuring public advertisement of the eligibility criteria and procedures

for nomination for election to the board and the setting of time schedules for such public announcement. The committee shall present nominations for one-third (1/3) membership of the board annually, shall present a slate of officers according to specifications (annually or biennially) and shall present nominations to fill vacancies as they occur. In addition to general nominating procedures and public advertising the nominating committee shall establish procedures providing for nominations by petition. Any person not placed in nomination by the committee but who is qualified, may have his name placed on the list of nominees by presenting a petition for nomination signed by twenty-five (25) registered voters of the region. Applicants shall be allowed sufficient time to prepare and execute such petitions prior to the date of the election and after initial public advertising has been placed. The board must vote on a petitioning nominee as well as on the slate placed in nomination by the committee.

5. Staff Development and Training Committee: composed of not less than two (2) nor more than twelve (12) members, not more than one-half (1/2) of whom shall be professionals in the disciplines of psychiatry, psychology, special education, nursing, social work, and other staff disciplines. This committee shall relate to applicant's staff to assure implementation and development of individual and team in-service training in mental health, mental retardation, alcoholism and drug addiction-related disciplinary skills.
 6. Catchment area committee (applies to applicants administering programs in more than one (1) catchment area only): When more than one (1) catchment area program is to be administered by a single board of directors there shall be provision for one (1) standing committee for each geographic catchment area served. Each committee shall be composed of a minimum of seven (7) members from the board of directors, not less than four (4) of whom shall be residents of the catchment area served by the committee. In addition, each committee shall have at least one (1) member from the board of directors who resides in each of the other catchment areas. The chairman of each catchment area committee must reside within the geographical area served by the committee. The function of the catchment area committees shall be to provide contact, knowledge and concern for the service and progress of the specific catchment area program, and to report regularly to the executive committee, program and evaluation committee and board of directors as to the status of the catchment area program.
 7. Program planning and evaluation committee: composed of the chairmen of the catchment area standing committees (when multiple catchment areas are served) and at least four (4) other members of the board of directors. This committee shall function as the over-all committee concerned with the efficacy of the existing program and the future service needs of the regional programs in mental health, mental retardation, alcoholism and drug abuse education and treatment, as well as the relationship of the regional program to the regional community.
- (h) A provision establishing the following special committees and including a description of their functions and responsibilities, meeting schedules and procedures for designation of their members:
1. Affiliate liaison committee: When an affiliate agency (or agencies) of the district board operate(s) all or a part of any element(s) of service and when said affiliate(s) maintain(s) a board of its own, advisory or otherwise, there shall be appointed a special committee called the "Affiliate Liaison Committee" which shall include membership from the district board and from the affiliated agency (agencies). The affiliate liaison committee may serve for more than one (1) affiliate agency. The function of the affiliate liaison committee shall be to provide contact, knowledge and concern for the merit and progress of the specific program element(s) provided by the affiliate(s); the affiliate liaison committee will report regularly to the board of directors on matters of program need, referral procedures, personnel funding, etc. The appointment of members to the affiliate liaison committee shall be from the district board of directors and from each affiliate agency board, in such numbers and for such terms of membership as shall be determined by the district board of directors.
 2. Sheltered workshop special committee: Those district boards directly operating sheltered workshop(s) shall designate a special committee of the board of directors called the "Sheltered Workshop Special Committee." The function of this committee shall be to provide contact, knowledge, and concern for the progress of this specific element of program, and to report regularly to the board on matters of program need, personnel, funding, etc. The appointment of members to the sheltered workshop special committee shall be from the district board

in such numbers and for such terms of membership as shall be determined by the district board of directors.

3. Professional advisory council: The regional board of directors shall provide for the establishment of a professional advisory council, composed of representatives of professional groups included in, but not limited to, the fields of health, welfare and education. The chairman of the professional advisory council, or his designee, shall be invited to be an ex-officio (non-voting) member of all meeting of standing committees of the board of directors. The council will have a two-fold purpose. First, it will provide for the district board of directors a specific background of professional skills and knowledge which can be utilized by the board in arriving at decisions concerning programs, expenditures and policies relating to professional practices. Secondly, it will afford professionals and their organizations and agencies an opportunity to become knowledgeable about district board programs.
4. Governmental advisory council: The regional board shall provide for the establishment of a governmental advisory council composed of the county judge of each county in the region (or his designee), the chief executive officer from the largest town or city and/or the county seat of each county in the district (or his designee). This council will provide the regional board with background, opinions and advice concerning the local governments of the regions. This will also enable the local governmental agencies to become knowledgeable about the district board programs. The chairman of the governmental advisory committee (or his designee) shall be invited to be an ex-officio (non-voting) member of all meeting of standing committees of the regional board of directors.

Section 3. In the interim period between annual requests for recognition from the Department for Human Resources, the board shall submit, within ten (10) days after adoption, any and all additions, deletions and changes in their Articles of Incorporation or corporate bylaws.

Section 4. Following the election of any officer(s) of the board and/or selection of any new directors the board shall submit to the Secretary of the Department for Human Resources within ten (10) days the names and addresses of the above, whenever it shall occur.

Section 5. In the event that an applicant is not in conformity with these requirements, the applicant may be authorized to receive state grants for a probationary period upon assurance of the applicant that it will bring its operations, bylaws and Articles of Incorporation into compliance with the required standards. The duration of such probationary period will be set by the Secretary of the Department for Human Resources.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 4:06 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 6:040)

RELATES TO: KRS 210.300, 222.200, 202.380

PURSUANT TO: KRS 210.300, 202.380

SUPERSEDES: DMH-26B

NECESSITY AND FUNCTION: KRS 210.300 authorizes the Secretary of the Department for Human Resources to designate hospital districts for the purpose of determining to which of the state institutions for the mentally ill the persons admitted from each county shall initially be sent. KRS 202.380 authorizes the transfer of a mentally defective or mentally ill inmate of any penal and correctional institution to the state hospital service designated by the secretary for that purpose.

Section 1. (1) The following state mental hospital districts are created. Except as otherwise provided herein, involuntarily and voluntarily hospitalized persons will be admitted to the hospital serving the district in which they reside.

(2) District 1A: Western State Hospital, Hopkinsville, Kentucky, counties of: Breckinridge, Butler, Caldwell, Christian, Crittenden, Edmonson, Grayson, Hardin, Hopkins, Larue, Livingston, Logan, Lyon, Marion, Meade, Muhlenberg Nelson, Simpson, Todd, Trigg, Warren, and Washington.

(3) Because of the geographic distance involved in traveling to Hopkinsville from Marion, Nelson and Washington Counties, persons from those counties may be admitted to Kentucky State Hospital, Danville, Kentucky, or Eastern State Hospital, Lexington, Kentucky, instead of Western State Hospital, if so requested.

(4) District 1B: Lourdes Hospital, Paducah, Kentucky, counties of: Ballard, Calloway, Carlisle, Fulton, Graves,

Hickman, Livingston, McCracken, and Marshall.

(5) District IC: T. J. Samson Community Hospital, Glasgow, Kentucky, counties of: Allen, Barren, Hart, Metcalfe, and Monroe.

(6) District ID: Our Lady of Mercy Hospital, Owensboro, Kentucky, counties of: Daviess, Hancock, Henderson, McLean, Ohio, Union, and Webster.

(7) District II: River Region Hospital, Louisville, Kentucky, counties of: Bullitt, Henry, Jefferson, Oldham, Shelby, Spencer, and Trimble.

(8) District III: Kentucky State Hospital, Danville, Kentucky, counties of: Adair, Bell, Boyle, Breathitt, Casey, Clay, Clinton, Cumberland, Garrard, Green, Harlan, Knox, Laurel, Lincoln, McCreary, Mercer, Pulaski, Rockcastle, Russell, Taylor, Wayne, and Whitley.

(9) District IV: Eastern State Hospital, Lexington, Kentucky, counties of: Anderson, Bath, Boone, Bourbon, Boyd, Bracken, Campbell, Carroll, Carter, Clark, Elliott, Estill, Fayette, Fleming, Floyd, Franklin, Gallatin, Grant, Greenup, Harrison, Jackson, Jessamine, Johnson, Kenton, Knott, Lawrence, Lee, Leslie, Letcher, Lewis, Madison, Magoffin, Martin, Mason, Menifee, Montgomery, Morgan, Owen, Owsley, Nicholas, Pendleton, Perry, Pike, Powell, Robertson, Rowan, Scott, Woodford, and Wolfe.

Section 2. Inmates of state penal and correctional institutions transferred to the Department for Human Resources shall be admitted to District II-Forensic Medicine.

Section 3. Male persons whose involuntary hospitalization is ordered and who are in custody pending disposition on one or more of the following criminal charges or attempts thereof shall be admitted directly to District II-Forensic Medicine:

(1) Criminal Charges: murder; rape; kidnapping; assault, first and second degree; arson, first and second degree; robbery, first and second degree; and burglary, first and second degree.

(2) Prompt notification of the court is required by KRS 202.208, and sending of appropriate papers to the hospital is required by KRS 202.210.

Section 4. A person may be admitted to a hospital other than the one in the district of his residence upon written permission of the Commissioner of the Bureau for Health Services.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 4:07 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
Certificate of Need and Licensure Board
(902 KAR 20:007)

RELATES TO: KRS 216.405 to 216.990 (2)

PURSUANT TO: KRS 216.425, 13.082

SUPERSEDES: HPFS 1-3

NECESSITY AND FUNCTION: This regulation, which relates to the operations and services of Licenses and Fee Schedule, is being promulgated pursuant to the mandate of KRS 216.425(3) that the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board regulate health facilities and health services.

Section 1. Licenses. (1) No person shall operate any health facility or health service in this Commonwealth without first obtaining the appropriate license therefor.

(2) All applications for licensure shall be filed with the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board, 275 East Main Street, Frankfort, Kentucky 40601.

(3) All applicants for licenses shall, as a condition precedent to licensure, be in compliance with the applicable regulations relating to the particular health facility or health service.

(4) All licenses shall expire on December 31 following the date of issuance unless otherwise expressly provided in the license certificate.

(5) Licenses may be renewed upon payment of the prescribed fee provided the particular health facility or health service is in compliance with the applicable provisions of the Certificate of Need and Licensure Board's regulations.

(6) Each license to operate shall be issued only for the person or persons and premises including the number of beds (if applicable) named in the application and shall not be transferable. A new application shall be filed in the event of change of ownership. Change of ownership for licenses shall be defined as follows:

- (a) Sole proprietorship: Where a health facility/service is owned by a single individual, a transfer of any part of the title to the facility/service to another person or firm shall constitute a change in ownership.
- (b) Partnership: Where a health facility/service is owned by a partnership, the addition, deletion or the substitution of any individual or transfer of any part of the title to the facility/service to

another person or firm shall constitute a change in ownership.

(c) Closely held corporation: Where a health facility/service is owned by a corporation of ten (10) or less stockholders, any change of shares of stock or transfer of any part of the title to the facility/service to another person or firm shall constitute a change in ownership.

(d) Proprietary corporation: Where the health facility/service is owned by a corporation of more than ten (10) stockholders, any transfer of any part of the title to the facility/service to another person or firm as well as any consolidation with another corporation or change of name or transfer of any part of the title to the facility/service shall constitute a change in ownership.

(e) Lease: Where any person or firm leases the health facility/service or any part thereof to another person or firm it shall constitute a change in ownership.

(7) Upon the filing of a new application for a license because of change in ownership, the new license shall be automatically issued for the remainder of the current licensure period. No additional fee will be charged for the remainder of the licensure period.

Section 2. Fee Schedule. Except as otherwise specifically provided in other regulations of this chapter, the annual fee (including renewals) for health facilities and services shall be as follows:

- (1) Mini personal care homes; \$10;
- (2) Hospital facilities and services (including all levels of inpatient care); \$1.50 per bed, \$10 minimum, \$300 maximum;
- (3) Free-standing extended care facilities and services; \$1 per bed, \$10 minimum, \$300 maximum;
- (4) Nursing home facilities and services; \$1 per bed, \$10 minimum, \$300 maximum;
- (5) Intermediate care facilities and services; \$.50 per bed, \$10 minimum;
- (6) Personal care homes; \$.50 per bed, \$10 minimum;
- (7) Out-patient clinics and ambulatory care facilities; \$15;
- (8) Home health agencies; \$15;
- (9) Emergency care-ambulance services; \$15;
- (10) Community mental health and mental retardation center facilities and services; \$300 per catchment area;
- (11) Health maintenance organizations (HMO's); \$1 per each 100 individuals covered;
- (12) Ambulatory surgical center facilities and services; \$15;
- (13) Medical alcohol emergency detoxification service (MAEDS); no charge.

HOWARD L. BOST, Chairman

ADOPTED: January 22, 1975

APPROVED: C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: April 15, 1975 at 3:59 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Howard Bost, Ph.D., Chairman, Certificate of Need and Licensure Board, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
Certificate of Need and Licensure Board
(902 KAR 20:030)

RELATES TO: KRS 216.405 to 216.485, 216.990 (2)

PURSUANT TO: KRS 216.425, 13.082

SUPERSEDES: HPFS 12

NECESSITY AND FUNCTION: This regulation, which relates to the operations and services of Personal Care Homes, is being promulgated pursuant to the mandate of KRS 216.425 that the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board regulate health facilities and health services.

Section 1. Definitions: Personal care homes are establishments with permanent facilities that include resident beds and health related services to provide continuous general supervision and residential care. Residents in a personal care home are able to manage the normal activities of daily living except that they have physical or mental disabilities or in the opinion of a licensed physician are in need of residential care.

(1) Residential care: refers to a service that provides a protective environment and includes but is not limited to, social and recreational opportunities for residents.

(2) Continuous or general supervision: refers to a service that provides twenty-four (24) hour surveillance of the residents and ensures that health related services required for the residents well-being will be carried out.

Section 2. Functions of Personal Care Homes. The functions of Personal Care Homes are as follows: (1) The primary function of the personal care home is to provide general supervision and protective services for residents who do not need nursing services for assistance in activities of daily living.

(2) (a) Written transfer agreements with other facilities in the service area will provide a level of inpatient care not provided by the personal care facility. Any facility which does not have such an agreement

tification sheet, including:

- (a) Resident's name;
 - (b) Social Security (Medicare) and Medical Assistance Identification number (if appropriate);
 - (c) Marital status;
 - (d) Birthdate;
 - (e) Age;
 - (f) Sex;
 - (g) Home address;
 - (h) Religion;
 - (i) Name, address and telephone number of referral agency (including hospital from which admitted);
 - (j) Attending physician;
 - (k) Next of kin and/or responsible person, address and telephone number;
 - (l) Admitting diagnosis;
 - (m) Resident discharge destination; and
 - (n) Date of admission and discharge.
- (2) If admitted from another facility a discharge summary or transfer form shall be included in the resident's record.
- (3) Medical evaluation including medical history, physical examination, and diagnosis (may be copy of discharge summary or H and P Report from hospital or other health care facility if done within fourteen (14) days prior to admission).
- (4) Physician progress notes indicating changes in resident's condition shall be completed at time of each visit by the physician and consultant.
- (5) Nurses or staff notes indicating changes in resident's condition as they occur.
- (6) Reports of social services, dental, laboratory, x-ray and special reports of consultants or therapists if and when received by the resident.
- (7) Medication and treatment sheets including all medication, treatments and special procedures performed indicating date and time. Entries shall be initialed by the personnel rendering treatment or administering medication.
- (8) After death or discharge the completed medical record shall be placed in an inactive file and retained in accordance with state and federal regulations governing the storage of medical records.
- (9) In the event of a transfer to another health care facility, a copy of the resident's record or summary thereof, shall accompany the resident. If the resident is transferred to another level of care within the same facility, the resident's medical record may be transferred intact with the resident.

Section 6. Dietary Requirements. (1) Menu planning:

- (a) Menus shall be planned, written and rotated according to a definite pattern. Nutrition needs shall be met in accordance with the current recommended dietary allowances of the nationally accepted dietary authorities, and in accordance with physician's orders.
 - (b) Meals shall correspond with the posted menu; when changes in the menu are necessary, substitutions shall provide equal nutritive value and the changes shall be recorded on the menu and kept on file for thirty (30) days.
- (2) Food preparation and storage:
- (a) There should be at least a three (3) day supply of food to prepare well balanced palatable meals.
 - (b) Food should be prepared with consideration for any individual dietary requirement. Modified diets, nutrient concentrates and supplements shall be given only on the written orders of a physician. Only dairy supplied from approved sources shall be served residents.
 - (c) At least three (3) meals per day shall be served with not more than a fourteen (14) hour span between the evening meal and breakfast. Between meal snacks shall be available to all residents except when conflicting with special diets prescribed by a licensed physician.
 - (d) Food returned from residents' dishes shall not be served again in any form.
 - (e) Kitchen areas shall be adequately lighted on all working surfaces.
 - (f) Kitchens shall be adequately ventilated.
 - (g) All eating and cooking utensils, including appliances, shall be stored in enclosed vermin free areas. They shall be free of cracks, chips, and so constructed as to be easily cleaned.
 - (h) If necessary to use drying cloths, they shall be clean and not used for any other purpose.
 - (i) All foods shall be stored above the floor in such a manner as to be protected from dust, flies, vermin or any other form of contamination.
 - (j) Refrigerators shall have a complete seal, be clean, free of odors, and kept at a temperature below forty-five (45) degrees. Deep freeze units at zero (0) degrees or below.
 - (k) All type food showing evidence of spoilage or infestation shall be disposed of immediately upon detection.
 - (l) Floors, walls, ceiling, lighting fixtures, storage areas and equipment shall be kept clean and in good repair. Windows and doors shall be screened, kept in repair, and clean. A handwashing basin in the kitchen shall be available for employees. Handwashing signs shall be posted.
 - (m) Pets shall not be permitted in the patient area or where food and drinks are handled, stored, prepared or served.

- (n) Ice water must be readily available to the residents at all times.

Section 7. General Requirements. (1) The personal care home shall be of safe and substantial construction and shall comply with state and local laws relating to location, zoning, construction, occupancy, plumbing, and sanitation including insect and rodent control.

(2) The water supply shall be of a safe sanitary quality and shall conform to all requirements of the Kentucky Bureau for Health Services. There shall be an ample supply of hot and cold potable water available at all times for general use.

(3) Liquid wastes shall be disposed of in a sanitary manner into a public sewage system where available, or if none is available, into a system which shall meet the requirements of the Kentucky Bureau for Health Services.

(4) All garbage, refuse, trash, and litter shall be collected and disposed of in compliance with established requirements of the Kentucky Bureau for Health Services. Garbage containers shall be made of metal or other impervious material and shall be water tight and rodent proof and must have tight fitting covers.

(5) All plumbing shall be installed and maintained to conform to the requirements of the state plumbing code.

(6) A living or recreation room shall be provided for residents and their guests.

(7) A dining area shall be available for residents.

(8) An adequate supply of clean linen should be on hand at all times.

Section 8. Housekeeping services. (1) The home shall be kept in good repair and shall be clean, uncluttered and sanitary at all times.

(2) Odors shall be eliminated at their source by prompt and thorough cleaning of commodes, urinals, bedpans and other obvious sources.

(3) All windows and other openings must be well screened and clean curtains in good repair must be used at all windows in rooms used by residents.

(4) Walls, ceilings, and floors shall be easily cleanable and decorated to achieve a pleasing effect. Floors must be skid proof and scatter rugs are prohibited.

(5) Cleaning supplies and poisons must be locked separately from foods and medicines.

(6) The premises shall be maintained in such a manner as to prevent infestation by rodents and insects.

(7) Soiled clothing and linens shall receive immediate attention and should not be allowed to accumulate. Clothing or bedding used by one resident shall not be used by another until it has been laundered or dry cleaned.

(8) Porches, patios, and other outside areas used by the residents must be of substantial construction with protective railings where necessary.

(9) Grounds shall be well kept and must be free of hazardous objects. Fences must be kept in good repair.

Section 9. Care and Welfare. (1) Upon admission the residents and a responsible member of his family or committee shall be informed in writing of the established policies of the home in regards to fees, reimbursements, visitation rights during serious illness, visiting hours, laundry, services rendered, etc. Care shall be taken to safeguard the resident's personal belongings and clothing.

(2) Residents shall be suitably dressed at all times and given assistance when needed in maintaining body hygiene and good grooming.

(3) Toilet articles, such as towels, brushes, and combs, shall not be used in common.

(4) Each resident shall be provided with soap, clean towels, wash cloths, individual mouthwash cups, tooth brushes, dentifrice and denture containers.

(5) No responsible resident shall be detained in a home against his will.

(6) Residents shall not be denied the right of rest periods in their beds.

(7) Residents shall not be denied visitation rights, the right to a degree of privacy, nor choice of spiritual affiliation or worship.

(8) A written procedure shall provide for an effective means of resolving grievances of residents. This procedure will assure that grievances and complaints of residents will be conveyed, within a reasonable time, to a decision making level which has the authority to take corrective action.

(9) A resident's correspondence shall not be opened except as authorized by the resident, his guardian, committee for family.

(10) Telephone service shall be available for residents' use.

(11) Infirm residents shall be given assistance to perform needed services for themselves.

(12) No form of punishment shall be meted to any resident of a home.

(13) Residents' beds shall be equipped with substantial springs, a clean comfortable mattress, a mattress cover, two sheets and a pillow, and such bed covering as is required to keep the residents comfortable. Linens shall be changed as often as necessary to keep a clean bed at all times. Rubber or other impervious sheets shall be placed over the mattress cover whenever necessary.

(14) Beds occupied by residents shall be placed so that no resident may experience discomfort because of proximity to radiators, heat outlets, or by exposure to drafts.

(15) Bedside tables with reading lamps, comfortable chairs, chests or dressers with mirrors, and a night light shall be

provided the residents.

(16) Every precaution should be taken to prevent residents from locking themselves in bedrooms, bathrooms, etc.

(17) Residents shall not be housed in unapproved rooms or unapproved detached buildings.

(18) Basement rooms shall not be used for sleeping rooms for residents; however, when approved by the board, such rooms may be acceptable for recreation or dining.

(19) Reading materials, radios, games, TV sets, and other recreational facilities shall be provided for the residents.

(20) All residents' bedrooms shall be identifiable by the residents.

Section 10. Fire Control or Disaster Plan. The facility shall have a written procedure to be followed in case of fire, explosion or other emergency, according to the directions of the State Fire Marshal's Office.

HOWARD L. BOST, Chairman

ADOPTED: January 22, 1975

APPROVED: C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: April 15, 1975 at 4:01 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Howard L. Bost, Ph.D., Chairman, Certificate of Need and Licensure Board, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
Certificate of Need and Licensure Board
(902 KAR 20:035)

RELATES TO: KRS 216.405 to 216.485, 216.990 (2)

PURSUANT TO: KRS 216.425, 13.082

SUPERSEDES: HPMS 11

NECESSITY AND FUNCTION: This regulation, which relates to the construction and alteration of Personal Care Homes, is being promulgated pursuant to the mandate of KRS 216.425 (3) that the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board regulate health facilities and health services.

Section 1. Scope: This regulation relates to the construction and alteration of personal care homes.

Section 2. Definitions: Personal care homes are establishments with permanent facilities that include resident beds and health related services to provide continuous general supervision and residential care. Residents in a personal care home are able to manage the normal activities of daily living except that they have physical or mental disabilities or in the opinion of a licensed physician are in need of residential care.

(1) Residential care: refers to a service that provides a protective environment and includes but is not limited to, social and recreational opportunities for residents.

(2) Continuous or general supervision: refers to a service that provides twenty-four (24) hour surveillance of the residents and ensures that health related services required for the residents well-being will be carried out.

Section 3. Essential Characteristics of Personal Care Homes. The essential characteristics of personal care homes are as follows:

(1) The primary function of the personal care home is to provide general supervision and protective services for residents who do not need nursing services for assistance in activities of daily living.

(2) Written transfer agreements with other facilities in the service area will provide a level of inpatient care not provided by the personal care facility. Any facility which does not have such an agreement in effect but which is found by the survey agency to have attempted in good faith to enter into such an agreement with another health facility shall be considered to have such an agreement in effect if and for so long as the survey agency finds that to do so is in the public interest and essential to assuring personal care facility services for eligible persons in the community. The administrator shall initiate transfer through an appropriate agency or the resident's physician, when the resident's condition is not within the scope of the personal care definition.

(3) The personal care home maintains resident beds.

(4) There is a governing authority legally responsible for the conduct of the personal care home.

(5) There is an administrator to whom the governing authority delegates the full-time responsibility for the operation of the institution in accordance with established policy.

(6) Arrangements shall be made by the resident, family or guardian, or facility for physician services for residents at the time of admission.

(7) Resident care services, with facilities and staff, are continuously maintained, except for homes operated under bona fide Christian Science auspices.

(8) Supervisory personnel are continuously available.

(9) A health record is maintained for each resident with a minimum to include the following:

- (a) Identification information.
- (b) Discharge summary or transfer form if admitted from another facility.
- (c) Medical evaluation at time of admission.
- (d) Notes on changes of residents' condition.

(e) Reports from special services, studies or consultations.

(f) Medication and treatment sheets.

(g) Residents' discharge destination or copy of death certificate.

(10) There is a supervision of medications ordered by physicians for self-administration by residents under their care.

(11) Food served to residents meets their nutritional requirements.

Section 4. Preparation of Plans and Specifications. After receiving certificate of need approval from the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board, the following procedures and regulations will be followed:

(1) Before construction is begun for the erection of new buildings or alterations to existing buildings or any changes in facilities, for a personal care facility, the licensee or applicant shall submit plans to the licensing agency for approval.

(2) Architectural drawings must bear the seal of an architect registered in the Commonwealth of Kentucky and the mechanical and electrical drawings must bear the seal of a professional engineer registered in the Commonwealth of Kentucky.

(3) Drawings shall not exceed thirty-six (36) feet by forty-six (46) feet when trimmed.

Section 5. Submission of Plans and Specifications. (1) First stage; schematic plans (Required only if facility exceeds 100 beds):

(a) Single line drawings of each floor shall show the relationship of the various departments or services to each other and the room arrangement in each department. The name of each room shall be noted. Drawings shall include typical resident room layouts (scaled 1/4"=1'0") with dimensions noted. The proposed roads and walks, service and entrance courts, parking and orientation shall be shown in a plot plan.

(b) If the project is an addition, or is otherwise related to existing buildings on the site, the plans shall show the facilities and general arrangements of those buildings.

(2) Second stage; preliminary plans. Preliminary sketch plans shall include the following:

(a) Architectural:

1. Plans of basement, floors, and roof showing space assignment, sizes and outline of fixed and movable equipment;
2. All elevations and typical sections;
3. Plot plan showing roads, parking, and sidewalks;
4. Areas and bed capacities by floors.

(b) Mechanical:

1. Single line layout of all duct and piping systems;
2. Riser diagrams for multistory construction;
3. Scale layout of boilers and major associated equipment and central heating, cooling, and ventilating units.

(c) Electrical:

1. Plans showing space assignment, sizes and outlines of fixed equipment such as transformers, main switch and switchboards, and generator sets.
2. Simple riser diagram for multistory building construction, showing arrangement of feeders, subfeeders, bus work, load centers, and branch circuit panels.

(d) Outline specifications:

1. General description of the construction, including interior finishes, types and locations of acoustical material, and special floor covering;
2. Description of the air-conditioning, heating, and ventilation systems and their controls, duct and piping systems; and dietary, laundry, and other special equipment;
3. General description of electrical service including voltage, number of feeders, and whether feeders are overhead or underground.

(3) Third stage; contract documents:

(a) Working drawings. Working drawings shall be complete and adequate for bid, contract, and construction purposes. Drawings shall be prepared for each of the following branches of the work: architectural, structural, mechanical, and electrical. They shall include the following:

1. Architectural drawings:

- a. Approach plan showing all new topography, newly established levels and grades, existing structures on the site (if any), new building structures, roadways, walks, and parking areas;
- b. Plan of each basement, floor and roof;
- c. Elevations of each facade;
- d. Sections through building;
- e. Required scale and full-size details;
- f. Schedule of doors, windows, and room finishes;
- g. Equipment. Location of all fixed equipment. Layout of typical and special rooms indicating all fixed equipment and major items of movable equipment. Equipment not included in contract shall be so indicated;
- h. Conveying systems. Details of construction, machine and control spaces necessary, size and type of equipment, and utility requirements for the follow-

ing: dumbwaiters: electric, hand, hydraulic; Elevators: freight, passenger, patient; loading dock devices; pneumatic tube systems.

2. Structural drawings:
 - a. Plans for foundations, floors, roofs, and all intermediate levels with sizes, sections, and the relative location of the various structural members;
 - * Dimensions of special openings;
 - b. Details of all special connections, assemblies, and expansion joints.
3. Mechanical drawings:
 - a. Heating, steam piping, and air-conditioning systems: radiators and steam heated equipment, such as warmers and steam tables; heating and steam mains and branches with pipe sizes; diagram of heating and steam risers with pipe sizes; sizes, types, and capacities of boilers, furnaces, hot water heaters with stokers, oil burners, or gas burners; pumps, tanks, boiler breeching, and piping and boiler room accessories; air-conditioning systems with required equipment, water and refrigerant piping, and ducts; supply and exhaust ventilation systems with heating/cooling connections and piping; air quantities for all room supply and exhaust ventilating duct openings.
 - b. Plumbing, drainage, and standpipe systems. Size and elevation of: street sewer, house sewer, house drains, street water main, and water service into the building. Location and size of soil, waste, and water service with connections to house drains, clean-outs, fixtures, and equipment. Size and location of hot, cold, and circulating branches, and risers from the service entrance, and tanks; riser diagram of all plumbing stacks with vents, water risers, and fixture connections. Standpipe and sprinkler systems where required; all fixtures and equipment that require water and drain connections.
 4. Electrical drawings:
 - a. Electric service entrance with switches and feeders to the public service feeders, characteristics of the light and power current, transformers and their connections if located in the building;
 - b. Location of main switchboard, power panels, light panels, and equipment. Diagram of feeders and conduits with schedule of feeder breakers or switches;
 - c. Light outlets, receptacles, switches, power outlets, and circuits;
 - d. Telephone layout showing service entrance, telephone switchboard, strip boxes, telephone outlets, and branch conduits;
 - e. Nurses' call systems with outlets for residents' beds and restrooms; duty station, door signal light and wiring diagrams; (This is optional but required in all higher levels of care.)
 - f. Fire alarm systems with stations, signal devices, control board and wiring diagrams;
 - g. Emergency electrical system with outlets, transfer switch, sources of supply, feeders, and circuits;
 - h. All other electrically operated systems and equipment.
 - (b) Specifications. Specifications shall supplement the drawings to fully describe types, sizes, capacities, workmanship, finishes and other characteristics of all materials and equipment and shall include:
 1. Cover or title sheet;
 2. Index;
 3. Sections describing materials and workmanship in detail for each class of work;
 4. General conditions, which must contain the following requirements: access to the work. Representatives of the appropriate state agencies will have access at all reasonable times to the work wherever it is in preparation or progress, and the contractor shall provide proper facilities for such access and inspection.

Section 6. Code and Standards. (1) General. Nothing stated herein shall relieve the sponsor from compliance with building codes, ordinances, and regulations which are enforced by city, county, or state jurisdictions.

(2) The following codes and standards will apply where applicable and adopted by the respective agency authority:

- (a) Current Kentucky standards of safety regulations applicable to personal care facilities.
- (b) Current Kentucky plumbing standards regulations applicable to personal care facilities.
- (c) Current Kentucky standards for air contaminants for incinerators regulations applicable to personal care facilities.
- (d) Current Kentucky standards for elevators regulations applicable to personal care facilities.
- (e) Current Kentucky standards for making buildings and facilities accessible to and usable by the physically handicapped regulations applicable to hospitals.

Section 7. Facility Requirements and Special Conditions.

(1) These regulations, except Section 6 which may be administered independent from these regulations, apply to the construction of new facilities and facilities that are being converted to personal care. Existing facilities will be expected to make a concerted and demonstrated effort to fully comply with these regulations and must prove to the satisfaction of the board that there are valid, reasonable, and specific

justifications for not being in full compliance. The board, however, reserves the right to establish deadlines for compliance to standards of significant importance as determined by the board.

(2) These standards are intended for facilities to be licensed as personal care homes. There are other separate and unique construction and facility standards applicable only to the specific level of care intended which are not interchangeable.

(3) Facilities shall be available to the public, staff, and residents who may be physically handicapped with special attention given to ramps, drinking fountain height, tilted mirrors, etc.

(4) At least sixty-six (66) percent of the beds in the facility shall be located in rooms designed for one (1) or two (2) beds.

(5) Access to the facility shall be by means of a paved or gravel roadway which shall be available for use by traffic prior to a license being issued to a facility for occupancy.

Section 8. Resident Unit. The following shall be included:

(1) Resident rooms. Each room shall meet the following requirements:

- (a) Maximum room capacity: four (4) residents.
- (b) Minimum room is exclusive of built-in closet, lockers, wardrobes and vestibules: 100 square feet in one (1) bed rooms and eighty (80) square feet in multibed rooms.
- (c) Multibed rooms shall be designed to permit not less than a three (3) foot space between beds, and at least a three (3) foot space between the side of the bed and the nearest wall, fixed cabinet, or heating/cooling unit. Beds shall be at least thirty-six (36) inches wide. A minimum of three (3) feet is required between the foot of the bed and opposite wall or foot of opposite bed in multibed rooms.
- (d) Windows: all resident rooms must have windows opening to the outside. Sill shall not be higher than three (3) feet above the floor and shall be above grade. Window area to be at least ten (10) percent of resident room floor area.
- (e) In all rooms with resident beds one (1) lavatory is required.
- (f) Wardrobe or closet for each resident. Minimum clear dimensions: one (1) foot deep by one (1) foot and eight (8) inches wide with full length hanging space; provide clothes rod and shelf.
- (g) In multibed rooms a method of assuring visual privacy for each resident shall be provided.

(2) Resident toilet and bathing facilities:

- (a) Provide a centralized bathing area for each sex on every floor. One (1) shower stall or one (1) bathtub for each twelve (12) residents or major fraction thereof is required. One (1) shower stall shall be designed for wheelchair use.
- (b) Provide a centralized toilet area for each sex on every floor. One (1) toilet for each eight (8) residents or fraction thereof and one (1) lavatory for each sixteen (16) residents or fraction thereof is required. Toilets must be separated by a permanent partition and at least one (1) toilet for each sex must be designed for wheelchair use.
- (c) The centralized bathing and centralized toilet area may be combined into one location provided provision is made for the privacy of sexes.
- (d) Grab bars shall be provided at all tubs, shower stalls, and toilets.

(3) Service areas for each floor. The size and location of each service area will depend on the maximum number of residents the floor was designed for and shall include:

- (a) Duty station. An adequate centralized area must be provided for charting and other required administrative functions.
- (b) Staff lounge area. Shall have adequate space for lockers and have its own toilet room.
- (c) Medication area, with sink, refrigerator, locked storage and facilities for preparation of medication. Controlled substances locker must be under double lock.
- (d) Clean linen storage. Enclosed storage area.
- (e) Janitor's closet. Storage of housekeeping supplies and equipment. Floor receptor or service sink.
- (4) Residents' dining, TV viewing, and recreation areas.
 - (a) The total areas set aside for these purposes shall be not less than thirty (30) square feet per bed for the first fifty (50) beds and twenty (20) square feet per bed for all beds in excess of fifty (50).
 - (b) Storage shall be provided for recreational equipment and supplies. (Such as wall cabinets or closets.)

Section 9. Dietary Department. If a commercial service will be used or meals will be provided by an adjacent hospital, dietary areas and equipment shall be designed to accommodate the requirements for sanitary, efficient and safe storage, processing, and handling, otherwise the following will be provided:

- (1) Food preparation center. Provide lavatory but do not provide mirror.
- (2) Food serving facilities. For patients and staff.
- (3) Dishwashing and potwashing facilities. Dish and utensil washing equipment will be used that will result in sanitized serviceware and will prevent recontamination.
- (4) Refrigerated storage. Should accommodate a three (3) day supply minimum.

- (5) Day storage. Should accommodate a three (3) day supply minimum.
- (6) Cart cleaning facilities. Only if this type of system is used.
- (7) Cart storage area. Only if this type of system is used.
- (8) Janitor's closet. Storage for housekeeping supplies and equipment; floor receptor or service sink.
- (9) If a toilet room is built in this department, it must have two (2) door separation from food preparation area or dining areas.

Section 10. Administration Department. The following shall be included: (1) Administrator's office. Business office and information center, the admitting and medical records areas may be combined into one (1) area.

- (2) Public and staff toilet rooms may be combined.
- (3) Housekeeper's storage space.

Section 11. Laundry. The following shall be included: (1) Soiled linen room.

- (2) Clean linen room.
- (3) Lavatory. Accessible from soiled, clean, and processing rooms.
- (4) Laundry processing room and storage for laundry supplies. (Need not be provided if laundry is processed outside the facility.)

Section 12. Storage and Service Areas. The following shall be included: (1) Sufficient storage space shall be provided.

- (2) Engineering service and equipment areas. The following shall be provided where applicable:
 - (a) Boiler room;
 - (b) Mechanical and electrical equipment room(s). (Can be combined with boiler room.);
 - (c) Storage room for housekeeping equipment. (Need not be provided if space is available in janitor's closets or elsewhere.);
 - (d) Refuse area, for holding trash prior to disposal, shall be located convenient to service entrance. (See Section 13(1)(e).)

Section 13. Details and Finishes. A high degree of safety for the occupants in minimizing the incidence of accidents shall be provided. Hazards such as sharp corners shall be avoided. All details and finishes shall meet the following requirements:

(1) Details:

- (a) Exits shall comply with the requirements for exit facilities in the "Kentucky Standards of Safety" as adopted by the State Fire Marshal's Office.
- (b) Handrails shall be provided on both sides of corridors used by residents in personal care with a clear distance of one and one-half (1 1/2) inches between handrail and wall.
- (c) All doors opening onto corridors shall be swing-type except elevator doors. Alcoves and similar spaces which generally do not require doors are excluded from this requirement.
- (d) No doors shall swing into the corridor except closet doors.
- (e) Thresholds and expansion joint covers, if used, shall be flush with the door.
- (f) Grab bars and accessories in toilet, shower, and bathrooms shall have sufficient strength and anchorage to sustain a load of 250 pounds for five (5) minutes.
- (g) Lavatories intended for use by residents shall be installed to permit wheelchairs to slide under.
- (h) The location and arrangement of lavatories and sinks intended for handwashing purposes shall provide sixteen (16) inches clearance each side of center line of fixture. (See Section 16(4)(a).)
- (i) Mirrors shall be arranged for convenient use by residents in wheelchairs as well as by residents in standing position.
- (j) Towel rack or dispensers shall be provided at all lavatories and sinks used for handwashing.
- (k) Ceiling heights:
 - 1. Boiler room. Not less than two (2) feet and six (6) inches above the main boiler header and connecting piping with adequate headroom under piping for maintenance and access;
 - 2. Corridors, storage rooms, residents' toilet room, and other minor rooms. Not less than seven (7) feet and six (6) inches.
 - 3. All other rooms. Not less than eight (8) feet.
- (l) Boiler room, food preparation centers, and laundries shall be insulated and ventilated to prevent any floor surface above from exceeding a temperature of eighty-five (85) degrees Fahrenheit.
- (m) Approved fire extinguishers shall be provided in recessed locations throughout the building in accordance with "Kentucky Standards of Safety," adopted by the State Fire Marshal's Office.
- (n) Noise reduction criteria. The ceilings of the following areas shall be designed to reduce noise transmission:
 - 1. Corridors in resident areas;
 - 2. Work areas such as utility rooms;
 - 3. Lobbies and recreation areas.
- (o) Special attention shall be given to sound transmission from boiler rooms, mechanical rooms, and kitchen, to resident bedroom areas.

(2) Finishes:

- (a) Flame spread requirements shall conform to the standards adopted by the State Fire Marshal's Office.
- (b) Floors generally shall be easily cleanable and shall have the wear resistance appropriate for the location involved. Floors in kitchen and related spaces shall be waterproof and greaseproof. In all areas where floors are subject to wetting, they shall have a nonslip finish.
- (c) Adjacent dissimilar floor materials shall be flush with each other to provide an unbroken surface.
- (d) Walls generally shall be washable and in the immediate area of plumbing fixtures, the finish shall be moistureproof. Wall bases in dietary areas shall be free of spaces that can harbor insects.
- (e) Ceilings generally shall be washable or easily cleanable. This requirement does not apply to boiler rooms, mechanical and building equipment rooms, shops and similar spaces.

Section 14. Elevators. Elevator requirements shall conform to the current standards for elevators adopted by the Division of Labor Standards, Department of Labor.

(1) Elevators, where required. All facilities where either resident beds or residential facilities such as recreation, resident dining or therapy rooms are located on other than the first floor, shall have electric or electrohydraulic elevators as follows:

- (a) Number of elevators:
 - 1. At least one (1) hospital-type elevator shall be installed where one (1) to fifty-nine (59) resident beds are located on any floor other than the first. (For purposes of these requirements, the first floor is that floor first reached from the main front entrance);
 - 2. At least two (2) elevators, one (1) of which shall be hospital-type shall be installed where sixty (60) to 200 resident beds are located on floors other than the first, or where residential facilities are located on a floor other than those containing the resident beds.
 - 3. At least three (3) elevators, one (1) of which shall be hospital-type shall be installed where 201 to 350 resident beds are located on floors other than the first, or where residential facilities are located on a floor other than those containing the resident beds;
 - 4. For facilities with more than 350 beds, the number of elevators shall be determined from a study of the facility plan and the estimated vertical transportation requirements.
- (b) Cars and platforms. Elevator cars and platforms shall be constructed of noncombustible material, except that fire-retarded-treated material may be used if all exterior surfaces of the cars are covered with metal. Cars of hospital-type elevators shall have inside dimensions that will accommodate a resident's bed and attendants and shall be at least five (5) feet wide by seven (7) feet and six (6) inches deep; car doors shall have a clear opening of not less than three (3) feet and eight (8) inches. Cars of all other required elevators shall have a clear opening of not less than three (3) feet.
- (c) Leveling. Elevators shall have automatic leveling of the two-way automatic maintaining type with accuracy within plus or minus one-half (1/2) inch.

(2) Field inspection and tests. The contractor shall be required to cause inspections and tests to be made and shall deliver to the owner written certification that the installation meets the requirements set forth in this section.

Section 15. Construction, Including Fire-Prevention Requirements. (1) Foundations shall rest on natural solid ground if a satisfactory soil is available at reasonable depths. Proper soil bearing values shall be established in accordance with recognized standards. If solid ground is not encountered at practical depths, the structure shall be supported on driven piles or drilled piers designed to support the intended load without detrimental settlement.

(2) Construction shall meet the "Kentucky Standards of Safety" adopted by the State Fire Marshal's Office.

(3) Fire safety approval. Prior to final approval of plans and specifications by the state licensure agency, the plans and specifications must be approved by the State Fire Marshal's Office.

Section 16. Mechanical Requirements. (1) Design and construction of refuse chutes, dumbwaiters, conveyors, and material handling systems shall be in accordance with the standards adopted by the State Fire Marshal's Office.

(2) Steam and hot water systems:

- (a) Boilers. If boilers are used, a minimum of two (2) must be provided; the combined capacity of the boilers, based upon the published Steel Boiler Institute or Institute of Boiler and Radiator Manufacturers net rating, must be able to supply 150 percent of the normal requirements of all systems and equipment.
- (b) Valves. Supply and return mains and risers of space heating and process steam systems shall be valved to isolate the various sections of each system. Each piece of equipment shall be valved at the supply and return end.
- (c) Covering. Boiler and smoke-breeching, all steam supply piping and high pressure steam return piping,

and hot water space heating supply and return piping shall be insulated.

- (d) The design and installation of all boilers must be in accordance with current Kentucky Plumbing Standards regulations applicable to personal care facilities.
- (3) Air-conditioning, heating and ventilating systems:
- (a) Temperatures. A minimum temperature of seventy-two (72) degrees Fahrenheit, shall be provided for occupied areas at winter design conditions.
- (b) Ventilation systems details. All air-supply and air-exhaust systems shall be mechanically operated. All fans serving exhaust systems shall be located at or near the point of discharge from the building. The ventilation rates shown on Table 1, Section 18, shall not be considered as precluding the use of higher ventilation rates if they are required to meet design conditions.
1. Outdoor ventilation air-intakes, other than for individual room units, shall be located as far away as practicable but not less than twenty-five (25) feet from the exhausts from any ventilating system or combustion equipment. The bottom of outdoor intakes serving central air systems shall be located as high as possible but not less than eight (8) feet above the ground level or, if installed through the roof, three (3) feet above roof level.
 2. The ventilation systems shall be designed and balanced to provide the general pressure relationship to adjacent areas shown in Table 1, Section 18.
 3. Room supply air inlets, recirculation, and exhaust air outlets shall be located not less than three (3) inches above the floor.
 4. Corridors shall not be used to supply air to or exhaust air from any room, except that exhaust air from corridors may be used to ventilate rooms such as bathrooms, toilet rooms, or janitor's closets which open directly on corridors.
 5. Ducts shall be constructed of iron, steel, aluminum, or other approved metal or materials such as clay, asbestos, cement, fiberglass, etc.
 6. All hoods over cooking ranges shall be equipped with fire extinguishing systems and heat-actuated fan controls. Cleanout openings shall be provided every twenty (20) feet in horizontal exhaust duct systems serving hoods.
 7. Boiler rooms shall be provided with sufficient outdoor air to maintain combustion rates of equipment and reasonable temperatures in the room and in adjoining areas.
- (4) Plumbing and other piping systems. All plumbing systems shall be installed in accordance with the requirements of current Kentucky plumbing standards regulations applicable to personal care facilities.
- (a) Lavatories in resident rooms shall have the water supply spout mounted so that its discharge point is a minimum distance of five (5) inches above the rim of the fixture. All fixtures used by staff, and all lavatories used by residents and food handlers shall be trimmed with valves which can be operated without the use of hands. Where blade handles are used for this purpose, they shall be of standard length. (See Section 13(1)(j).)
- (5) Water supply systems:
- (a) System shall be designed to supply water to the fixtures and equipment on the upper floors at a minimum pressure of fifteen (15) pounds per square inch during maximum demand periods.
- (b) Each water service main, branch main, riser and branch to a group of fixtures shall be valved. Stop valves shall be provided at each fixture.
- (c) Hot, cold and chilled water piping and waste piping on which condensation may occur shall be insulated. Insulation of cold and chilled water lines shall include an exterior barrier.
- (d) Backflow preventers (vacuum breakers) shall be installed on hose bibbs and on all fixtures to which hoses or tubing can be attached such as janitor's sinks and bedpan flushing attachments.
- (e) Hot water distribution systems shall be arranged to provide hot water at each fixture at all times.
- (f) Plumbing fixtures which require hot water and which are intended for resident use shall be supplied with water which is controlled to provide a maximum water temperature of 110 degrees Fahrenheit at the fixture.
- (g) Piping over food preparation centers, food serving facilities, food storage areas, and other critical areas shall be kept to a minimum and shall not be exposed. Special precautions shall be taken to protect these areas from possible leakage of, or condensation from necessary overhead piping systems.
- (6) Hot water heaters and tanks:
- (a) The hot water heating equipment shall have sufficient capacity to supply the water at the temperature and amounts indicated below:

	Use		
	Resident	Dietary	Laundry
Gal/hr/bed	6 1/2	4	4 1/2
Temp. F.	110	180	180

- (b) Storage tank(s) shall be provided and shall be fabricated of corrosion-resistant metal, or have

non-corrosive lining.

(7) Fire extinguishing and detection systems shall conform to the "Kentucky Standards of Safety" adopted by the State Fire Marshal's Office.

(8) Plumbing approval. Prior to final approval of the plans and specifications by the state licensure agency, the plumbing plans and the specifications must be approved by the Division of Plumbing, Bureau for Environmental Quality, Department for Natural Resources and Environmental Protection.

Section 17. Electrical Requirements. (1) General:

- (a) All materials including equipment, conductors, controls, and signaling devices shall be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facilities shown in the specifications or indicated on the plans. All materials shall be listed as complying with applicable standards of Underwriters' Laboratories, Inc., or other similarly established standards.
- (b) The contractor shall be responsible for testing all electrical installations and systems and shall show that the equipment is correctly installed and operated as planned or specified.
- (c) The electrical installations must conform to local codes where they exist or to the National Electrical Code. Final approval must be obtained from the State Fire Marshal's Office, after inspection.
- (2) Switchboard and power panels. Circuit breakers or fusible switches that provide disconnecting means and overcurrent protection for conductors connected to switchboard and distribution panelboards shall be enclosed or guarded to provide a dead-front type of assembly. The main switchboard shall be located in a separate enclosure accessible only to authorized persons. The switchboard shall be convenient for use, readily accessible for maintenance, clear of traffic lanes, and in a dry ventilated space devoid of corrosive fumes or gases. Overload protective devices shall be suitable for operating properly in the ambient temperature conditions. All breakers and switches are to be indexed.
- (3) Distribution Panelboards. Lighting and appliance panelboards shall be provided for the circuits on each floor. All circuits are to be indexed at panelboard. This requirement does not apply to emergency system circuits.
- (4) Lighting:
- (a) All spaces occupied by people, machinery, and equipment within buildings, and the approaches thereto, and parking lots shall have electric lighting.
- (b) Residents' bedrooms shall have general lighting. A reading light shall be provided for each resident when appropriate. Residents' reading lights and other fixed lights not switched at the door shall have switch controls convenient for use at the luminaire.
- (c) Provisions shall be made for the night lighting of corridors. (See Section 18, Table 2, for levels of illumination for various areas.)
- (5) Receptacles. (Convenience outlets):
- (a) Bedroom. Each resident bedroom shall have duplex receptacles as follows: one (1) each side of the head of each bed (for parallel adjacent beds, only one (1) receptacle is required between beds); receptacles for luminaires, television and motorized beds, if used, and one (1) receptacle on another wall.
- (b) Corridors. Single receptacles for equipment such as floor cleaning machines shall be installed approximately fifty (50) feet apart in all corridors. Duplex receptacles for general use shall be installed approximately fifty (50) feet apart in all corridors and within twenty-five (25) feet of ends of corridors.
- (6) Fire alarms and fire detector systems. The design and installation of these systems must be approved by the State Fire Marshal's office. (See Section 6(2).)
- (7) Emergency electric service:
- (a) General. To provide electricity during an interruption of the normal electric supply that could affect the care or safety of the occupants, an emergency source of electricity shall be provided and connected to certain circuits for lighting and power for a continuous period up to twenty-four (24) hours.
- (b) Emergency electrical connections. Emergency electric service shall be provided to circuits as follows:
1. Lighting:
 - a. Exitways and all necessary ways of approach thereto, including exit signs and exit direction signs, exterior of exits, exit doorways, stairways, and corridors;
 - b. Medication preparation areas;
 - c. Switch-gear location and boiler room;
 - d. Elevator (if required for emergency);
 2. Equipment, essential to life safety and for protection of important or vital materials:
 - a. Alarm system including fire alarm actuated at manual stations, water flow alarm devices of sprinkler system if electrically operated, fire detecting and smoke detecting systems, paging or speaker systems if intended for issuing instructions during emergency conditions;
 - b. Fire pump, if installed;
 - c. Sewage or sump lift pump, if installed.

(c) Details. The emergency system shall be so controlled that after interruption of the normal electric power supply, the electric source is brought to full voltage and frequency and connected to all emergency lighting, all alarms, and equipment.

Section 18. Appendix

Table 1 - Pressure Relationships and Ventilation of Certain Personal Care Areas

Table 2 - Lighting Levels for Personal Care

Table 1. Pressure Relationships and Ventilation of Certain Personal Care Areas

Area Designation	Pressure Relationship to Adjacent Areas	All Supply Air From Outdoors	Minimum Air Changes of Outdoor Air Per Hour
Resident room	0	—	2
Resident area corridor	0	—	1
Treatment room	0	Yes	1
Physical therapy and hydrotherapy, if applicable	N	—	1
Dining and recreation areas	0	—	1
Soiled workroom	N	—	1
Clean workroom	P	Yes	1
Toilet room	N	—	—
Bedpan room, if applicable	N	—	—
Bathroom	N	—	—
Janitor's closet	N	—	—
Linens and trash chute room	N	—	—
Food preparation center	0	—	2
Dishwashing area	N	—	—
Dietary day storage	0	—	—
Laundry, general	0	—	2
Soiled linen sorting and storage	N	—	2
Clean linen storage	P	—	2

P = Positive N = Negative 0 = Equal — = Optional

Area Designation	Minimum Total Air Changes Per Hour	All Air Exhausted Directly to Outdoors	Recirculated Within Area
Resident room	2	—	—
Resident area corridor	4	—	—
Treatment room	4	Yes	No
Physical therapy and hydrotherapy, if applicable	6	—	—
Dining and recreation areas	4	—	—
Soiled workroom	4	Yes	No
Clean workroom	4	—	—
Toilet room	10	Yes	No
Bedpan room, if applicable	10	Yes	No
Bathroom	10	Yes	No
Janitor's closet	10	Yes	No
Linens and trash chute rooms	10	Yes	No
Food preparation center	10	Yes	No
Dishwashing area	10	Yes	No
Dietary day storage	2	—	No
Laundry, general	10	Yes	No
Soiled linen sorting and storage	10	Yes	No
Clean linen storage	2	—	—

— = Optional

Table 2. Lighting Levels for Personal Care

Area	Footcandles*
Administrative and lobby areas, day	50
Administrative and lobby areas, night	20
Corridors and interior ramps	20
Corridor night lighting	3
Dining area and kitchen	30
Doorways	10
Exit stairways and landings	5
Janitor's closet	15
Staff lounge, general, day	50
Staff lounge, general, night	20
Medicine Cabinet	100
Resident care unit (or room), general	10
Resident care room, reading	30
Recreation area (floor level)	50
Stairways other than exits	30
Toilet and bathing facilities	30
Utility room, general	20

*Minimum on task at anytime.

HOWARD L. BOST, Chairman

ADOPTED: January 22, 1975

APPROVED:

C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: April 15, 1975 at 4:01 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Howard Bost, Ph.D., Chairman, Certificate of Need and Licensure Board, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
Certificate of Need and Licensure Board
(902 KAR 20:055)

RELATES TO: KRS 216.405 to 216.485, 216.990 (2)

PURSUANT TO: KRS 216.425, 13.082

SUPERSEDES: HPFS 9

NECESSITY AND FUNCTION: This regulation, which relates to the construction and alteration of intermediate care facilities, is being promulgated pursuant to the mandate of KRS 216.425(3) that the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board regulate health facilities and health services.

Section 1. Definition: Intermediate care services are provided intermittently on a twenty-four (24) hour basis by establishments with permanent facilities and health related services to patients who do not require the degree of care and treatment which a hospital or skilled nursing facility is designed to provide, but who because of their mental or physical condition require care and services (above the level of room and board) which can be made available to them only through institutional facilities on an inpatient basis.

Section 2. Essential Characteristics: All intermediate care services shall have provisions for the following essential characteristics:

- (1) A governing authority legally responsible for the conduct of the facility;
- (2) An administrator licensed by the State Board of Licensure for Nursing Home Administrators to whom the governing authority delegates full-time responsibility for the operation of the facility in accordance with established policy;
- (3) Inpatient care;
- (4) Twenty-four (24) hour supervision (at various levels) according to patient need;
- (5) Diagnostic care and evaluation according to need;
- (6) Treatment and/or training of the type and frequency required by specific patient needs as detailed in an individual "plan of care;"
- (7) Cooperation with appropriate community planning and referral agencies where available for admission and discharge of patients;
- (8) Social services as needed by the patients through direct provision or arrangement;
- (9) A current and complete record maintained for each patient;
- (10) An organized food service which meets the nutritional needs of the patients, with special diets regularly available;
- (11) A plan for independent and group activities;
- (12) A written patient care policy governing patient treatment in the facility;
- (13) Maintaining effective arrangements for required institutional services through a written agreement with an outside resource in those instances where the facility does not employ a qualified professional person to render a required service. The terms of agreement with each such resource are delineated in writing and signed by the administrator or authorized representative and the resource;
- (14) Written transfer agreements with other health facilities.

ties in the service area will provide a level of inpatient care not provided by the intermediate care facility. Any facility which does not have such an agreement in effect but which is found by the survey agency to have attempted in good faith to enter into such an agreement with another health facility shall be considered to have such an agreement in effect if and for so long as the survey agency finds that to do so is in the public interest and essential to assuring intermediate care facility services for eligible persons in the community.

(15) Intermittent appraisal and intervention by trained nursing personnel is on a twenty-four (24) hour basis;

(16) Medical management by a licensed physician and scheduled intermittent diagnostic care is provided;

(17) Restorative nursing care is provided to each patient to achieve and maintain the highest possible degree of function, self-care and independence.

Section 3. Preparation of Plans and Specifications. After receiving certificate of need approval from the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board, the following procedures and regulations will be followed:

(1) Before construction is begun for the erection of new buildings or alterations to existing buildings or any change in facilities, for an intermediate care facility, the licensee or applicant shall submit plans to the licensing agency for approval.

(2) Architectural drawings must bear the seal of an architect registered in the Commonwealth of Kentucky and the mechanical and electrical drawings must bear the seal of a professional engineer registered in the Commonwealth of Kentucky.

(3) Drawings shall not exceed thirty-six (36) by forty-six (46) inches when trimmed.

Section 4. Submission of Plans and Specifications for Intermediate Care. (1) First stage; schematic plans:

(a) Single line drawings of each floor shall show the relationship of the various departments or services to each other and the room arrangement in each department. The name of each room shall be noted. Drawings shall include typical patient room layouts (scaled 1/4" = 1'0") with dimensions noted. The proposed roads and walks, service and entrance courts, parking and orientation shall be shown in a plot plan.

(b) If the project is an addition, or is otherwise related to existing buildings on the site, the plans shall show the facilities and general arrangements of those buildings.

(2) Second stage; preliminary plans. Preliminary sketch plans shall include the following:

(a) Architectural:

1. Plans of basement, floors, and roof showing space assignment, sizes, and outline of fixed and movable equipment;
2. All elevations and typical sections;
3. Plot plan showing roads, parking, and sidewalks;
4. Areas and bed capacities by floors.

(b) Mechanical:

1. Single line layout of all duct and piping systems;
2. Riser diagrams for multistory construction;
3. Scale layout of boilers and major associated equipment and central heating, cooling, and ventilating units.

(c) Electrical:

1. Plans showing space assignment, sizes and outlines of fixed equipment such as transformers, main switch and switchboards, and generator sets;
2. Simple riser diagram for multistory building construction, showing arrangement of feeders, subfeeders, bus work, load centers, and branch circuit panels.

(d) Outline specifications:

1. General description of the construction, including interior finishes, types and locations of acoustical material, and special floor covering;
2. Description of the air-conditioning, heating, and ventilation systems and their controls, duct and piping systems; and dietary, laundry, and other special equipment;
3. General description of electrical service including voltage, number of feeders, and whether feeders are overhead or underground.

(3) Third stage; contract documents:

(a) Working drawings. Working drawings shall be complete and adequate for bid, contract, and construction purposes. Drawings shall be prepared for each of the following branches of the work: architectural, structural, mechanical, and electrical. They shall include the following:

1. Architectural drawings:

- a. Approach plan showing all new topography, newly established levels and grades, existing structures on the site (if any), new building structures, roadways, walks, and parking areas;
- b. Plan of each basement, floor and roof;
- c. Elevations of each facade;
- d. Sections through building;
- e. Required scale and full-size details;
- f. Schedule of doors, windows, and room finishes;
- g. Equipment. Location of all fixed equipment. Layout

of typical and special rooms indicating all fixed equipment and major items of movable equipment. Equipment not included in contract shall be so indicated;

h. Conveying systems. Details of construction, machine and control spaces necessary, size and type of equipment, and utility requirements for the following: dumbwaiters: electric, hand, hydraulic; elevators: freight, passenger, patient; loading dock devices; pneumatic tube systems.

2. Structural drawings:

a. Plans for foundations, floors, roofs, and all intermediate levels with sizes, sections, and the relative location of the various structural members;

b. Dimensions of special openings;

c. Details of all special connections, assemblies, and expansion joints.

3. Mechanical drawings:

a. Heating, steam piping, and air-conditioning systems: radiators and steam heated equipment, such as warmers and steam tables; heating and steam mains and branches with pipe sizes; diagram of heating and steam risers with pipe sizes; sizes, types, and capacities of boilers, furnaces, hot water heaters with stokers, oil burners, or gas burners; pumps, tanks, boiler breeching, and piping and boiler room accessories; air-conditioning systems with required equipment, water and refrigerant piping and ducts; supply and exhaust ventilation systems with heating/cooling connections and piping; air quantities for all room supply and exhaust ventilating duct openings.

b. Plumbing, drainage, and standpipe systems: size and elevation of: street sewer, house sewer, house drains, street water main, and water service into the building; location and size of soil, waste, and water service with connections to house drains, clean-outs, fixtures, and equipment; size and location of hot, cold and circulating branches, and risers from the service entrance, and tanks; riser diagram of all plumbing stacks with vents, water risers, and fixture connections; oxygen and vacuum systems; standpipe and sprinkler systems where required; all fixtures and equipment that require water and drain connections.

4. Electrical drawings:

a. Electric service entrance with switches and feeders to the public service feeders, characteristics of the light and power current, transformers and their connections if located in the building;

b. Location of main switchboard, power panels, light panels, and equipment. Diagram of feeders and conduits (with schedule of feeder breakers or switches);

c. Light outlets, receptacles, switches, power outlets, and circuits;

d. Telephone layout showing service entrance, telephone switchboard, strip boxes, telephone outlets, and branch conduits;

e. Nurses' call systems with outlets for beds, duty stations, door signal light, annunciators, and wiring diagrams;

f. Fire alarm system with stations, signal devices, control board, and wiring diagrams;

g. Emergency electrical system with outlets, transfer switch, sources of supply, feeders, and circuits;

(b) Specifications. Specifications shall supplement the drawings to fully describe types, sizes, capacities, workmanship, finishes and other characteristics of all materials and equipment and shall include:

1. Cover or title sheet;

2. Index;

3. Sections describing materials and workmanship in detail for each class of work;

4. General conditions, which must contain the following requirements: access to the work. Representatives of the appropriate state agencies will have access at all reasonable times to the work wherever it is in preparation or progress, and the contractor shall provide proper facilities for such access and inspection.

Section 5. Code and Standards. (1) General. Nothing stated herein shall relieve the sponsor from compliance with building codes, ordinances, and regulations which are enforced by city, county, or state jurisdictions.

(2) The following codes and standards will apply where applicable and as adopted by the respective agency authority.

(a) Current Kentucky standards of safety regulations applicable to intermediate care facilities.

(b) Current Kentucky plumbing standards regulations applicable to intermediate care facilities.

(c) Current Kentucky standards for air contaminants for incinerators regulations applicable to intermediate care facilities.

(d) Current Kentucky standards for elevators regulations applicable to intermediate care facilities.

(e) Current Kentucky standards for making buildings and facilities accessible to and usable by the physically handicapped regulations applicable to hospitals.

Section 6. Facility Requirements and Special Conditions.

(1) These regulations, except Section 5 which may be admin-

istered independent from these regulations, apply to the construction of new facilities and facilities that are being converted to intermediate care. Existing facilities will be expected to make a concerted and demonstrated effort to fully comply with these regulations and must prove to the satisfaction of the board that there are valid, reasonable, and specific justifications for not being in full compliance. The board, however, reserves the right to establish deadlines for compliance to standards of significant importance as determined by the board.

(2) These standards are intended for facilities to be licensed as intermediate care facilities. There are other separate and unique construction and facility standards applicable only to the specific level of care intended which are not interchangeable.

(3) Independent facilities with a capacity of fifty (50) beds or less present special problems. The sizes of the various departments will depend upon the requirements of the facilities. Some functions allotted separate spaces or rooms in these general standards may be combined provided that the resulting plan will not compromise the best standard of safety and of medical and nursing practices and the social needs of patients. In other respects, the general standards set forth herein, including the area requirements, shall apply.

(4) Facilities shall be available to the public, staff, and patients who may be physically handicapped with special attention given to ramps, drinking fountain height, tilted mirrors, etc.

(5) The number of beds in a nursing unit shall not exceed sixty (60) unless additional services are provided, as deemed necessary by the Certificate of Need and Licensure Board. At least sixty-six (66) percent of the beds shall be located in rooms designed for one (1) or two (2) beds.

(6) Access to the facility shall be by means of a paved or gravel roadway which shall be available for use by traffic prior to a license being issued to the facility for occupancy.

Section 7. Nursing Unit. (1) Patient rooms. Each patient room shall meet the following requirements:

- (a) Maximum room capacity: four (4) patients;
- (b) Minimum room area exclusive of built-in closet, toilet rooms, lockers, wardrobes, and vestibules; 100 square feet in one (1) bed rooms and eighty (80) square feet per bed in multibed rooms;
- (c) Multibed rooms shall be designed to permit not less than a four (4) foot space between beds, and at least three (3) foot space between the side of a bed and the nearest wall, fixed cabinet, or heating/cooling element. A minimum of four (4) feet is required between foot of bed and opposite wall, or foot of opposite bed in multibed rooms;
- (d) Window: All patient rooms must have windows opening to the outside. Sill shall not be higher than three (3) feet above the floor and shall be above grade. Window area to be at least ten (10) percent of patient room floor area;
- (e) Nurses' calling station(s): (See Section 16 (6));
- (f) Lavatory. In all patient rooms there shall be a lavatory;
- (g) Wardrobe or closet for each patient. Minimum clear dimensions: one (1) foot and ten (10) inches deep by one (1) foot and eight (8) inches wide with full length hanging space; provide clothes rod and shelf;
- (h) A method of assuring visual privacy for each patient shall be provided in each multibed patient room and in tub, shower and toilet rooms (cubicle curtains, built-in partitions, etc.);
- (i) No patient room shall be located more than 120 feet from the nurses' station, the clean workroom, and the soiled workroom. No room shall be used as a patient room where the access is through another patient's room.

(2) Patient toilet rooms:

- (a) Provide a centralized toilet area for each sex on every floor. One (1) toilet for each eight (8) residents or fraction thereof and one (1) lavatory for each sixteen (16) residents or fraction thereof is required. Toilets must be separated by a permanent partition and at least one (1) toilet for each sex must be designed for wheelchair use.
- (b) At least one (1) toilet must be easily usable by wheelchair patients. Grab bars shall be provided at all toilets;
- (c) Doors to toilet rooms shall have a minimum width of two (2) feet and ten (10) inches to admit wheelchair.

(3) Service areas in each nursing unit. The size of each service area will depend on the number and types of beds within the unit and shall include:

- (a) Nurses' station. For nurses' charting, doctors' charting, communications, and storage for supplies and nurses' personal effects;
- (b) Staff lounge area. Shall have adequate space for lockers and have its own toilet room;
- (c) Clean workroom. For storage and assembly of supplies for nursing procedures; shall contain work counter and sink;
- (d) Soiled workroom. Shall contain clinical sink, work counter with two (2) compartment sink, waste receptacles, and soiled linen receptacles;
- (e) Medication area. Adjacent to nurses' station; with sink, refrigerator, locked storage, and facilities for preparation and dispensing of medication. (May

be designated area within clean workroom if a self-contained cabinet is provided.) Controlled substances locker must be under double lock;

- (f) Clean linen storage. Enclosed storage space (may be designated area within the clean workroom);
 - (g) Equipment storage room. For storage of IV stands, inhalators, air mattresses, walkers, and similar bulky equipment;
 - (h) Patient baths. One (1) shower stall or one (1) bathtub shall be required for each twelve (12) beds not individually served. There shall be at least one (1) free standing bathtub in each bathroom. Grab bars shall be provided at all bathing fixtures. Each bathtub or shower enclosure in central bathing facilities shall provide space for private use, for dressing and for a wheelchair and attendant. At least one (1) shower in the central bathing facilities shall not be less than four (4) feet square, without curbs, and designed to permit use from a wheelchair. Soap dishes in showers and bathrooms shall be recessed;
 - (i) Janitor's closet. Storage of housekeeping supplies and equipment. Floor receptor or service sink;
 - (j) Bedpan washing facilities shall be provided on each floor and shall be so located that bedpans need not be carried through lobbies and dining areas.
- (4) Patients' dining, TV viewing and recreation areas:
- (a) The total areas set aside for these purposes shall be not less than thirty (30) square feet per bed for the first fifty (50) beds and twenty (20) square feet per bed for all beds in excess of fifty (50). Additional space shall be provided for outpatients if they participate in a day care program;
 - (b) Storage shall be provided for recreational equipment and supplies. (Such as wall cabinets or closets.)
 - (c) The areas set aside for these purposes must be readily accessible to wheelchair patients and shall permit unobstructed movement about of wheelchair patients and personnel responsible for instructing and supervising patients.

Section 8. Dietary Department. If a commercial service will be used or meals will be provided by an adjacent hospital, dietary areas and equipment shall be designed to accommodate the requirements for sanitary, efficient, and safe storage, processing, and handling, otherwise the following will be provided:

- (1) Food preparation center. Provide lavatory but do not provide mirror;
- (2) Food serving facilities. For patient and staff;
- (3) Dishwashing and potwashing facilities. Dish and utensil washing equipment will be used that will result in sanitized serviceware and will prevent recontamination;
- (4) Refrigerated storage should accommodate a three (3) day supply minimum;
- (5) Dry storage should accommodate a three (3) day supply minimum;
- (6) Cart cleaning facilities; only if this type of system is used;
- (7) Cart storage areas; only if this type of system is used;
- (8) Janitor's closet. For storage for housekeeping supplies and equipment; floor receptor or service sink;
- (9) If a toilet room is built within the department it must have a two (2) door separation from food preparation area or dining areas.

Section 9. Administration Department. The following shall be included:

- (1) Administrator's office. Business office and information center, admitting and medical records areas may be combined into one (1) area.
- (2) Public and staff toilet rooms;
- (3) Director of nurse's office. (May be omitted in facilities of less than 100 beds.);
- (4) Housekeeper's storage space.

Section 10. Laundry. The following shall be included:

- (1) Soiled linen room;
- (2) Clean linen room;
- (3) Lavatory. Accessible from soiled, clean, and processing rooms;
- (4) Laundry processing room, and storage for laundry supplies (Need not be provided if laundry is processed outside the facility.);
- (5) Janitor's closet. Storage for housekeeping supplies and equipment; floor receptor or service sink.

Section 11. Storage and Service Areas. The following shall be included: (1) Sufficient storage space shall be provided for general storage requirements.

(2) Engineering service and equipment areas. The following shall be provided where applicable:

- (a) Boiler room;
- (b) Mechanical and electrical equipment room(s). Can be combined with boiler room;
- (c) Storage room for housekeeping equipment. (Need not be provided if space is available in janitor's closets or elsewhere.);
- (d) Refuse area. For holding trash prior to disposal. Shall be located convenient to service entrance.

Section 12. Details and Finishes. A high degree of safety for the occupants in minimizing the incidence of accidents shall be provided. Hazards such as sharp corners shall be avoided. All details and finishes shall meet the following requirements:

(1) Details:

- (a) Exits shall comply with the requirements for exit facilities in the "Kentucky Standards for Safety," as adopted by the State Fire Marshal's Office.
 - (b) Handrails shall be provided on both sides of corridors used by patients in intermediate care facilities with a clear distance of one and one-half (1 1/2) inches between handrail and wall.
 - (c) All doors to patient-room toilet rooms and patient-room bathrooms shall swing outward or shall be equipped with hardware which will permit access in any emergency.
 - (d) All doors opening onto corridors shall be swing-type except elevator doors. Alcoves and similar spaces which generally do not require doors are excluded from this requirement.
 - (e) No doors shall swing into the corridor except closet doors.
 - (f) Thresholds and expansion joint covers, if used, shall be flush with the floor.
 - (g) Grab bars and accessories in patient toilet, shower, and bath rooms shall have sufficient strength and anchorage to sustain a load of 250 pounds for five (5) minutes.
 - (h) Lavatories intended for use by patients shall be installed to permit wheelchairs to slide under.
 - (i) The location and arrangement of lavatories and sinks with blade handles intended for handwashing purposes shall provide sixteen (16) inches clearance each side of center line of fixture. (See Section 15(4)(a).)
 - (j) Mirrors shall be arranged for convenient use by patients in wheelchairs as well as by patients in standing position.
 - (k) Towel rack or dispenser shall be provided at all lavatories and sinks used for handwashing.
 - (l) Ceiling heights:
 1. Boiler room. Not less than two (2) feet and six (6) inches above the main boiler header and connecting piping with adequate headroom under piping for maintenance and access;
 2. Corridors, storage rooms, patients' toilet room, and other minor rooms not less than seven (7) feet and six (6) inches;
 3. All other rooms. Not less than eight (8) feet.
 - (m) Boiler room, food preparation centers, and laundries shall be insulated and ventilated to prevent any floor surface above from exceeding a temperature of eight-fifty (85) degrees Fahrenheit.
 - (n) Approved fire extinguishers shall be provided in recessed locations throughout the building in accordance with "Kentucky Standards of Safety," adopted by the State Fire Marshal's Office.
 - (o) Noise reduction criteria. The ceilings of the following areas shall be designed to reduce noise transmission:
 1. Corridors in patient areas;
 2. Nurses' stations;
 3. Work areas, such as utility rooms;
 4. Lobbies and recreation areas.
 - (p) Special attention shall be given to sound transmission from boiler rooms, mechanical rooms, and kitchen, to patient bedroom areas.
- (2) Finishes:
- (a) Flame spread requirements shall conform to the "Kentucky Standards of Safety" adopted by the State Fire Marshal's Office.
 - (b) Floors generally shall be easily cleanable and shall have the wear resistance appropriate for the location involved. Floors in kitchen and related spaces shall be waterproof and greaseproof. In all areas where floors are subject to wetting, they shall have a nonslip finish.
 - (c) Adjacent dissimilar floor materials shall be flush with each other to provide an unbroken surface.
 - (d) Walls generally shall be washable and in the immediate area of plumbing fixtures, the finish shall be moistureproof. Wall bases in dietary areas shall be free of spaces that can harbor insects.
 - (e) Ceilings generally shall be washable or easily cleanable. This requirement does not apply to boiler rooms, mechanical and building equipment rooms, shops and similar spaces.

Section 13. Elevators. Elevator requirements shall conform to the current standards for elevators adopted by the Division of Labor Standards, Department of Labor.

(1) Elevators, where required. All facilities where either patient beds or inpatient facilities such as diagnostic, recreation, patient dining or therapy rooms are located on other than the first floor, shall have electric or electrohydraulic elevators as follows:

(a) Number of elevators:

1. At least one (1) hospital-type elevator shall be installed where one (1) to fifty-nine (59) patient beds are located on any floor other than the first. (For purposes of these requirements, the first floor is that floor first reached from the main front entrance);

2. At least two (2) elevators, one (1) of which shall be hospital-type, shall be installed where sixty (60) to 200 patient beds are located on floors other than the first, or where inpatient facilities are located on a floor other than those containing the patient beds;
3. At least three (3) elevators, one (1) of which shall be hospital-type, shall be installed where 201 to 350 patient beds are located on floors other than the first, or where inpatient facilities are located on a floor other than those containing the patient beds;
4. For facilities with more than 350 beds, the number of elevators shall be determined from a study of the facility plan and the estimated vertical transportation requirements.
- (b) Cars and platforms. Elevator cars and platforms shall be constructed of noncombustible material, except that fire retarded treated material may be used if all exterior surfaces of the cars are covered with metal. Cars of hospital-type elevators shall have inside dimensions that will accommodate a patient's bed and attendants and shall be at least five (5) feet wide by seven (7) feet and six (6) inches deep; car doors shall have a clear opening of not less than three (3) feet and eight (8) inches. Cars of all other required elevators shall have a clear opening of not less than three (3) feet.
- (c) Leveling. Elevators shall have automatic leveling of the two (2) way automatic maintaining type with accuracy within plus or minus one-half (1/2) inch.
- (2) Field inspection and tests. The contractor shall be required to cause inspection and tests to be made and shall deliver to the owner written certification that the installation meets the requirements set forth in this section.

Section 14. Construction Including Fire-Prevention Requirements. (1) Foundations shall rest on natural solid ground if a satisfactory soil is available at reasonable depths. Proper soil bearing values shall be established in accordance with recognized standards. If solid ground is not encountered at practical depths, the structure shall be supported on driven piles or drilled piers designed to support the intended load without detrimental settlement.

(2) Construction shall meet the "Kentucky Standards of Safety" adopted by the State Fire Marshal's Office.

(3) Fire safety approval. Prior to final approval of plans and specifications by the state licensure agency, the plans and specifications must be approved by the State Fire Marshal's Office, or their authorized representative.

Section 15. Mechanical Requirements. (1) Design and construction of refuse chutes, dumbwaiters, conveyors, and material handling systems shall be in accordance with the "Kentucky Standards of Safety" adopted by the State Fire Marshal's Office.

(2) Steam and hot water systems:

- (a) Boilers. If boilers are used a minimum of two (2) must be provided; the combined capacity of the boilers, based upon the published Steel Boiler Institute or Institute of Boiler and Radiator Manufacturer's net rating, must be able to supply 150 percent of the normal requirements of all systems and equipment.
 - (b) Valves. Supply and return mains and risers of space heating and process steam systems shall be valved to isolate the various sections of each system. Each piece of equipment shall be valved at the supply and return end.
 - (c) Covering. Boiler and smoke breeching, all steam supply piping and high pressure steam return piping, and hot water space heating supply and return piping shall be insulated.
 - (d) The design and installation of all boilers must be in accordance with current Kentucky plumbing standards regulations applicable to intermediate care facilities.
- (3) Air-conditioning, heating and ventilating systems:
- (a) Temperatures. A minimum temperature of seventy-two (72) degrees Fahrenheit shall be provided for occupied areas at winter design conditions.
 - (b) Ventilation systems details. All air-supply and air-exhaust systems shall be mechanically operated. All fans serving exhaust systems shall be located at or near the point of discharge from the building. The ventilation rates shown on Table 1 shall not be considered as precluding the use of higher ventilation rates if they are required to meet design conditions.
 1. Outdoor ventilation air-intakes, other than for individual room units, shall be located as far away as practicable but not less than twenty-five (25) feet from the exhausts from any ventilating system or combustion equipment. The bottom of outdoor intakes serving central air systems shall be located as high as possible but not less than eight (8) feet above the ground level or if installed through the roof, three (3) feet above roof level.
 2. The ventilation systems shall be designated and balanced to provide the general pressure relationship to adjacent areas shown in Table 1, Section 17.
 3. Room supply air inlets, recirculation, and exhaust air outlets shall be located not less than three (3) inches above the floor.

4. Corridors shall not be used to supply air to or exhaust air from any room, except that exhaust air from corridors may be used to ventilate rooms such as bathrooms, toilet rooms, or janitor's closets which open directly on corridors.
5. Ducts shall be constructed of iron, steel, aluminum, or other approved metal or materials such as clay, asbestos, cement, fiberglass, etc.
6. All hoods over cooking ranges shall be equipped with fire extinguishing systems and heat-actuated fan controls. Cleanout openings shall be provided every twenty (20) feet in horizontal exhaust duct systems serving hoods.
7. Boiler rooms shall be provided with sufficient outdoor air to maintain combustion rates of equipment and reasonable temperatures in the room and in adjoining areas.

(4) Plumbing and other piping systems. All plumbing systems shall be installed in accordance with the requirements of current Kentucky plumbing standards regulations applicable to intermediate care facilities. (See Section 5(2).)

- (a) Lavatories and sinks required in patient care areas shall have the water supply spout mounted so that its discharge point is a minimum distance of five (5) inches above the rim of the fixture. All fixtures used by medical and nursing staff, and all lavatories used by patients and food handlers shall be trimmed with valves which can be operated without the use of hands. Where blade handles are used for this purpose, they shall be of a standard length. (See Section 13(1)(j).)
- (b) Clinical sinks shall have an integral trap in which the upper portion of a visible trap seal provides a water surface.
- (5) Water supply system:
 - (a) Systems shall be designed to supply water to the fixtures and equipment on the upper floors at a minimum pressure of fifteen (15) pounds per square inch during maximum demand periods.
 - (b) Each water service main, branch main, riser and branch to a group of fixtures shall be valved. Stop valves shall be provided at each fixture.
 - (c) Hot, cold and chilled water piping and waste piping on which condensation may occur shall be insulated. Insulation of cold and chilled water lines shall include an exterior vapor barrier.
 - (d) Backflow preventers (vacuum breakers) shall be installed on hose bibbs and on all fixtures to which hoses or tubing can be attached such as janitor's sinks and bedpan flushing attachments.
 - (e) Hot water distribution systems shall be arranged to provide hot water at each fixture at all times.
 - (f) Plumbing fixtures which require hot water and which are intended for patient use shall be supplied with water which is controlled to provide a maximum water temperature of 110 degrees Fahrenheit at the fixture.
 - (g) Piping over food preparation centers, food serving facilities, food storage areas, and other critical areas shall be kept to a minimum and shall not be exposed. Special precautions shall be taken to protect these areas from possible leakage of, or condensation from, necessary overhead piping systems.
- (6) Hot water heaters and tanks:
 - (a) The hot water heating equipment shall have sufficient capacity to supply the water at the temperature and amounts indicated below:

	Use		
	Patient	Dietary	Laundry
Gal/hr/bed	6 1/2	4	4 1/2
Temp. F.	110	180	180

- (b) Storage tank(s) shall be provided and shall be fabricated of corrosion-resistant metal, or have noncorrosive lining.
- (7) Fire extinguishing and detection systems shall conform to "Kentucky Standards of Safety" adopted by the State Fire Marshal's Office.
- (8) Plumbing approval. Prior to final approval of the plans and specifications by the state licensure agency, the plumbing plans and specifications must be approved by the Division of Plumbing, Bureau for Environmental Quality, Department for Natural Resources and Environmental Protection.

Section 16. Electrical Requirements. (1) General:

- (a) All materials including equipment, conductors, controls, and signaling devices shall be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facilities shown in the specifications or indicated on the plans. All materials shall be listed as complying with applicable standards of Underwriters' Laboratories, Inc., or other similarly established standards.
- (b) The contractor shall be responsible for testing all electrical installations and systems and shall show that the equipment is correctly installed and operated as planned or specified.
- (c) The electrical installations must conform to local codes where they exist or to the National Electrical Code. Final approval must be obtained from the State Fire Marshal's Office, after inspection.

(2) Switchboard and power panels. Circuit breakers or fusible switches that provide disconnecting means and overcurrent protection for conductors connected to switchboard and distribution panelboards shall be enclosed or guarded to provide a dead-front type of assembly. The main switchboard shall be located in a separate enclosure accessible only to authorized persons. The switchboard shall be convenient for use, readily accessible for maintenance, clear of traffic lanes, and in a dry ventilated space devoid of corrosive fumes or gases. Overload protective devices shall be suitable for operating properly in the ambient temperature conditions. All breakers and switches are to be indexed.

(3) Distribution panelboards. Lighting and appliance panelboards shall be provided for the circuits on each floor. All circuits are to be indexed at panelboard. This requirement does not apply to emergency system circuits.

(4) Lighting:

- (a) All spaces occupied by people, machinery, and equipment within buildings, and the approaches thereto, and parking lots shall have electric lighting.
- (b) Patients' bedrooms shall have general lighting. A reading light shall be provided for each patient when appropriate. Patients' reading lights and other fixed lights not switched at the door shall have switch controls convenient for use at the luminaire.
- (c) Provisions shall be made for the night lighting of corridors. (See Appendix, Section 17, Table 2 for levels of illumination for various areas.)
- (5) Receptacles (convenience outlets):
 - (a) Bedroom. Each patient bedroom shall have duplex receptacles as follows: one (1) each side of the head of each bed (for parallel adjacent beds, only one (1) receptacle is required between the beds); receptacles for luminaires, television and motorized beds, if used, and one (1) receptacle on another wall.
 - (b) Corridors. Single receptacles for equipment such as floor cleaning machines shall be installed approximately fifty (50) feet apart in all corridors. Duplex receptacles for general use shall be installed approximately fifty (50) feet apart in all corridors and within twenty-five (25) feet of ends of corridors.
- (6) Nurses' calling system. A nurses' visible signal calling station shall be installed at each patient bed and in each patient toilet, bath, and shower-room. The nurses' call in toilet, bath, or shower-rooms, shall be an emergency call. All calls shall register at the nurses' station and shall actuate a visible signal in the corridor at the patient's door, in the clean workroom, and the soiled workroom of the nursing unit.

(7) Fire alarms and fire detector systems. The design and installation of these systems must be approved by the State Fire Marshal's Office. (See Section 5(2).)

(8) Emergency electric service:

- (a) General. To provide electricity during an interruption of the normal electric supply that could affect the nursing care, treatment, or safety of the occupants, an emergency source of electricity shall be provided and connected to certain circuits for lighting and power.
- (b) Sources. The source of this emergency electric service shall be an emergency generating set, when normal service is supplied by one or more central station transmission lines.
- (c) Emergency generating set. The required emergency generating set, including the prime mover and generator, shall be located on the premises and shall be reserved exclusively for supplying the emergency electrical system. The emergency generator set shall be sufficient kilowatt capacity to supply all lighting and power load demands of the emergency system. The power factor rating of the generator shall be not less than eighty (80) percent.
- (d) Emergency electrical connections. Emergency electric service shall be provided to circuits as follows:
 1. Lighting:
 - a. Exitways and all necessary ways of approach thereto, including exit signs and exit direction signs, exterior of exits, exit doorways, stairways, and corridors;
 - b. Dining and recreation rooms;
 - c. Nursing station and medication preparation area;
 - d. Generator set location, switch-gear location, and boiler room;
 - e. Elevator (if required for emergency);
 2. Equipment: Essential to life safety and for protection of important or vital materials;
 - a. Nurses' calling system;
 - b. Alarm system including fire alarm actuated at manual stations, water flow alarm devices of sprinkler system if electrically operated, fire detecting and smoke detecting systems, paging or speaker systems if intended for issuing instructions during emergency conditions, and alarms required for non-flammable medical gas systems, if installed;
 - c. Fire pump, if installed;
 - d. Sewage or sump lift pump, if installed;
 - e. All required duplex receptacles in patient corridors; and at least one (1) receptacle in each patient room;
 - f. Equipment such as burners and pumps necessary for

ADMINISTRATIVE REGISTER

operation of one or more boilers and their necessary auxiliaries and controls, require for heating and sterilization;

- g. Details. The emergency system shall be so controlled that after interruption of the normal electric power supply, the generator is brought to full voltage and frequency and connected within ten (10) seconds through one or more primary automatic transfer switches to all emergency lighting; all alarms; nurses' call; and receptacles in patient corridors. All other lighting and equipment required to be connected to the emergency system shall either be connected through the above described primary automatic transfer switching or shall be subsequently connected through other automatic or manual transfer switching. Receptacles connected to the emergency system shall be distinctively marked for identification. Storage-battery-powered lights shall not be used as a substitute for the requirement of a generator. Where fuel is normally stored on the site, the storage capacity shall be sufficient for twenty-four (24) hour operation of required emergency electric services. Where fuel is normally piped underground to the site from a utility distribution system, storage facilities on the site will not be required.

- h. Emergency heating. Where electricity is the only source of power normally used for space heating, an alternate emergency heating system for the heating of corridors will be required. Emergency heating of corridors will not be required in areas where the facility is supplied by at least two (2) utility service feeders, each supplied by separate generating sources or a network distribution system fed by two (2) or more generators, with the facility feeders so routed, connected, and protected so that a fault any place between the generators and the facility will not be likely to cause an interruption of more than one (1) of the immediate care facility's service feeders. If there is written plan for the transfer of patients within a reasonable time to other facilities with which the intermediate care facility has written transfer agreements, the above alternate emergency heating system will not be required.

Section 17.

APPENDIX

Table 1 - PRESSURE RELATIONSHIPS AND VENTILATION OF CERTAIN INTERMEDIATE CARE AREAS

Table 2 - LIGHTING LEVELS FOR INTERMEDIATE CARE FACILITIES

Table 1-Pressure Relationships and Ventilation of Certain Intermediate Care Areas

Area Designation	Pressure Relationship to Adjacent	All Supply Air from Outdoors	Minimum Air Changes of Outdoor Air Per Hour
Patient room	0	—	2
Patient area corridor	0	—	2
Treatment room	0	Yes	2
Physical therapy and hydrotherapy if applicable	N	—	2
Dining and recreation areas	0	—	2
Soiled workroom	N	—	2
Clean workroom	P	Yes	2
Toilet room	N	—	—
Bedpan room if applicable	N	—	—
Bathroom	N	—	—
Janitor's Closet	N	—	—
Linen and trash chute rooms	N	—	—
Food preparation center	0	Yes	2
Dishwashing area	N	—	—
Dietary day storage	0	—	—
Laundry, general	0	Yes	2
Soiled linen sorting and storage	N	—	—
Clean linen storage	P	—	2

P = Positive N = Negative 0 = Equal — = Optional

Area	Minimum Total Air Changes Per Hour	All Air Exhausted Directly to Outdoors	Recirculated Within Area
Patient room	2	—	—
Patient area corridor	4	—	—
Treatment room	6	Yes	No
Physical therapy and hydrotherapy if applicable	6	—	—
Dining and recreation areas	4	—	—
Soiled Workroom	4	Yes	No
Clean Workroom	4	—	—
Toilet Room	10	Yes	No
Bedpan room if applicable	10	Yes	No
Bathroom	10	Yes	No
Janitor's Closet	10	Yes	No
Linen and trash chute rooms	10	Yes	No
Food preparation center	10	Yes	No
Dishwashing area	10	Yes	No
Dietary day storage	2	—	No
Laundry, general	10	Yes	No
Soiled linen sorting and storage	10	Yes	No
Clean linen storage	2	—	—

— = Optional

Table 2-Lighting Levels for Intermediate Care Facilities

Area	Footcandles*
Administrative and lobby areas, day	50
Administrative and lobby areas, night	20
Barber and beautician areas, if applicable	50
Corridors and interior ramps	20
Corridor night lighting	3
Dining area and kitchen	30
Doorways	10
Exit stairways and landings	5
Janitor's Closet	15
Nurses' station, general, day	50
Nurses' station, general, night	20
Nurses' desk, for charts and records	70
Nurses' medicine cabinet	100
Patient care unit (or room), general	10
Patient care room, reading	30
Recreation area (floor level)	50
Stairways other than exits	30
Toilet and bathing facilities	30
Utility room, general	20
Utility room, work counter	50

*Minimum on task at anytime

ADOPTED: January 22, 1975
 APPROVED: C. LESLIE DAWSON, Secretary
 RECEIVED BY LRC: April 15, 1975 at 4:00 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Howard Bost, Ph.D., Chairman, Certificate of Need and Licensure Board, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
 Bureau for Health Services
 Certificate of Need and Licensure Board
 (902 KAR 20:070)

RELATES TO: KRS 216.405 to 216.485, 216.990 (2)
 PURSUANT TO: KRS 216.425, 13.082

SUPERSEDES: HPFS 13

NECESSITY AND FUNCTION: This regulation, which relates to the operation and services of Outpatient Clinics and Ambulatory Care Facilities, is being promulgated pursuant to the mandate of KRS 216.425 (3) that the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board regulate health facilities and health services.

Section 1. Definitions: Outpatient Clinics and Ambulatory Care Facilities. Establishments with organized medical staffs; with permanent facilities, and with medical services to provide diagnosis and treatment for patients who primarily are ambulatory and do not currently require inpatient care, and who have a variety of medical conditions both surgical and non-surgical.

Section 2. Characteristics of Outpatient Clinics and Ambulatory Care Facilities. (1) The institution provides diag-

nostic or treatment services, or both, for patients who primarily are ambulatory and do not currently require inpatient care, and who have a variety of medical conditions, both surgical and non-surgical.

(2) There are arrangements for transfer of patients in need of inpatient care.

(3) The institution has permanent facilities and maintains regularly scheduled hours during which medical services are provided.

(4) There is a governing authority legally responsible for the conduct of the institution.

(5) There is an administrator to whom the governing authority delegates the full-time responsibility for the operation of the institution in accordance with established policy.

(6) There is an organized medical staff to which the governing authority delegates responsibility for maintaining proper standards of medical care.

(7) Each patient is admitted on the medical authority of, and is under the supervision of, a member of the medical staff.

(8) Registered professional nurse supervision and other nursing services are continuous during the regularly scheduled hours.

(9) A current and complete medical record is maintained for each patient.

(10) Diagnostic x-ray service, with facilities and staff for a variety of procedures, is maintained during the regularly scheduled hours or is regularly and conveniently available.

(11) Clinical laboratory service, with facilities and staff for a variety of tests and procedures, is maintained during the regularly scheduled hours, and anatomical pathology services are regularly conveniently available.

Section 3. Preparation of Plans and Specifications. (1) Before construction is begun for the erection of new buildings or alterations to existing buildings or any change in facilities, the licensee or applicant shall submit plans to the licensing agency for approval.

(2) Architectural drawings must bear the seal of an architect registered in the Commonwealth of Kentucky and the mechanical and electrical drawings must bear the seal of a professional engineer registered in the Commonwealth of Kentucky.

Section 4. Submission of Plans and Specifications. (1) First stage; schematic plans:

(a) Single line drawings of each floor shall show the relationship of the various departments or services to each other and the room arrangement in each department. The name of each room shall be noted. Drawings shall include typical patient room layouts (scaled 1/4" = 1'0") with dimensions noted. The proposed roads and walks, service and entrance courts, parking and orientation shall be shown in a plot plan.

(b) If the project is an addition, or is otherwise related to existing buildings on the site, the plans shall show the facilities and general arrangements of those buildings.

(2) Second stage; preliminary plans. Preliminary sketch plans shall include the following:

(a) Architectural:

1. Plans of basement, floors, and roof showing space assignment, sizes, and outline of fixed and movable equipment;
2. All elevations and typical sections;
3. Plot plan showing roads, parking, and sidewalks;
4. Areas and bed capacities by floors.

(b) Mechanical:

1. Single line layout of all duct and piping systems;
2. Riser diagram for multistory building construction, showing arrangement of feeders, subfeeders, bus work, load centers, and branch circuit panels.
3. Scale layout of boilers and major associated equipment and central heating, cooling, and ventilating units.

(c) Electrical:

1. Plans showing space assignment, sizes and outlines of fixed equipment such as transformers, main switch and switchboards, and generator sets;
2. Simple riser diagram for multistory building construction, showing arrangement of feeders, subfeeders, bus work, load centers, and branch circuit panels.

(d) Outline specifications:

1. General description of the construction, including interior finishes, types and locations of acoustical material, and special floor covering;
2. Description of the air-conditioning, heating, and ventilation systems and their controls, duct and piping systems; and dietary, laundry, sterilizing and other special equipment;
3. General description of electrical service including voltage, number of feeders, and whether feeders are overhead or underground.

(3) Third stage; contract documents:

(a) Working drawings. Working drawings shall be complete and adequate for bid, contract, and construction purposes. Drawings shall be prepared for each of the following branches of the work: architectural, structural, mechanical, and electrical. They shall include the following:

1. Architectural drawings:

- a. Approach plan showing all new topography, newly

established levels and grades, existing structures on the site (if any), new building structures, roads, walks, and parking areas;

- b. Plan of each basement, floor and roof;
- c. Elevations of each facade;
- d. Sections through building;
- e. Required scale and full-size details;
- f. Schedule of doors, windows, and room finishes;
- g. Equipment. Location of all fixed equipment. Layout of typical and special rooms indicating all fixed equipment and major items of movable equipment. Equipment not included in contract shall be so indicated;
- h. Conveying systems. Details of construction, machine and control spaces necessary, size and type of equipment, and utility requirements for the following: dumbwaiters: electric, hand, hydraulic; elevators: freight, passenger, patient; loading dock devices; pneumatic tube systems.

2. Structural drawings:

- a. Plans for foundations, floors, roofs, and all intermediate levels with sizes, sections, and the relative location of the various structural members;
- b. Dimensions of special openings;
- c. Details of all special connections, assemblies, and expansion joints.

3. Mechanical drawings:

- a. Heating, steam piping, and air-conditioning systems: radiators and steam heated equipment, such as sterilizers, warmers, and steam tables; heating and steam mains and branches with pipe sizes; diagram of heating and steam risers with pipe sizes; sizes, types, and capacities of boilers, furnaces, hot water heaters with stokers, oil burners, or gas burners; pumps, tanks, boiler breechings, and piping and boiler room accessories; air-conditioning systems with required equipment, water and refrigerant piping, and ducts; supply and exhaust ventilation systems with heating/cooling connections and piping; air quantities for all room supply and exhaust ventilating duct openings.
- b. Plumbing, drainage, and standpipe systems; size and elevation of: street sewer, house sewer, house drains, street water main, and water service into the building; location and size of soil, waste and water service with connections to house drains, clean-outs, fixtures, and equipment; size and location of hot, cold and circulating branches, and risers from the service entrance, and tanks; riser diagram of all plumbing stacks with vents, water risers, and fixture connections; gas, oxygen, and vacuum systems; standpipe and sprinkler systems where required; all fixtures and equipment that require water and drain connections.

4. Electrical drawings:

- a. Electrical service entrance with switches and feeders to the public service feeders, characteristics of the light and power current, transformers and their connections if located in the building;
- b. Location of main switchboard, power panels, light panels, and equipment. Diagram of feeders and conduits with schedule of feeder breakers or switches;
- c. Light outlets, receptacles, switches, power outlets and circuits;
- d. Telephone layout showing service entrance, telephone switchboard, strip boxes, telephone outlets, and branch conduits;
- e. Nurses' call systems with outlets for beds, duty stations, door signal light, annunciators, and wiring diagrams;
- f. Fire alarm system with stations, signal devices, control board, and wiring diagrams;
- g. Emergency electrical system with outlets, transfer switch, sources of supply, feeders, and circuits;
- h. All other electrically operated systems and equipment.

(b) Specifications. Specifications shall supplement the drawings to fully describe types, sizes, capacities, workmanship, finishes and other characteristics of all materials and equipment and shall include:

1. Cover or title sheet;
2. Index;
3. Sections describing materials and workmanship in detail for each class of work;
4. General conditions, which must contain the following requirements: Access to the work. Representatives of the appropriate state agencies will have access at all reasonable times to the work wherever it is in preparation or progress, and the contractor shall provide proper facilities for such access and inspection.

Section 5. Code and Standards. (1) General. Nothing stated herein shall relieve the sponsor from compliance with building codes, ordinances, and regulations which are enforced by city, county, or state jurisdictions.

(2) The following codes and standards will apply where applicable:

- (a) Current Kentucky standards of safety regulations applicable to ambulatory care facilities.
- (b) Current Kentucky plumbing standards regulation applicable to ambulatory care facilities.
- (c) Current Kentucky standards for air contaminants for incinerators regulations applicable to ambulatory

care facilities.

- (d) Current Kentucky standards for elevators regulations applicable to ambulatory care facilities.

Section 6. Facility Requirements and Special Conditions.

(1) These regulations, except Section 5 which may be administered independent from these regulations, apply to the construction of new facilities that are being converted to an outpatient clinic or ambulatory care facility. Existing facilities will be expected to make a concerted and demonstrated effort to fully comply with these regulations and must prove to the satisfaction of the board that there are valid, reasonable, and specific justifications for not being in full compliance. The board, however, reserves the right to establish deadlines for compliance to standards of significant importance as determined by the board.

(2) All outpatient facilities shall contain but not be limited to all the elements described herein, or the narrative program shall indicate the manner in which the needed services are to be conveniently available to the outpatient. When services are to be shared or purchased, appropriate modifications or deletions in space and equipment requirements should be made to avoid duplication. Each element provided in the outpatient facility must meet the construction requirements outlined herein as a minimum, with the understanding that in many instances the elements will need to be expanded to fulfill the program requirements.

(3) An outpatient facility is generally located within a hospital setting, but it may be located apart from a hospital if it provides a full range of services of physicians and allied health services personnel as required by the narrative program and if it provides a full range of general and special diagnostic, preventive, and treatment services directly in its own facility or through convenient affiliation, referral, or consultation.

(4) A narrative program for each project shall be provided by the sponsor which describes the functional space requirements, staffing patterns, departmental relationships, and other basic information relating to the fulfillment of the objectives of the institution.

Section 7. Special Considerations. (1) The extent (number and types of rooms) of the diagnostic, clinical, and administrative facilities to be provided will be determined by the services contemplated and the estimated patient load as described in the narrative program.

(2) Where the facility is an integral part of the hospital and is intended to accommodate hospital inpatients as well as outpatients, the applicable standards relating to general hospital facilities shall apply.

(3) The planning of outpatient facilities should provide for the privacy and dignity of the patient during interview, examination, and treatment. The facilities shall be located so that outpatients do not traverse inpatient areas.

(4) Facilities shall be available and accessible to the public, staff, and patients who may be physically handicapped.

Special attention should be given to ramps, drinking fountain height, tilted mirrors, etc.

(5) Where an ambulatory care facility is not part of a hospital building, the facilities listed herein shall be provided unless they are available for convenient use by the patients in an associated health facility.

(6) In the absence of a formal parking study, vehicle parking for outpatient facilities shall be provided at the ratio of three (3) spaces for each doctor plus one (1) space for each staff member. Exceptions may be made for facilities located in areas with a high population density if adequate public parking is available or if the facility is accessible to a public transportation system. On-street parking, if available, may be considered as meeting part of this requirement.

Section 8. Administration Department. (1) Entrance. It shall be located at grade level, sheltered from the effects of inclement weather, and be able to accommodate wheelchairs and stretchers.

(2) Lobby. Shall include:

- (a) Wheelchair storage space(s);
- (b) Reception and information counter or desk;
- (c) Waiting space(s);
- (d) Public toilet facilities;
- (e) Public telephone(s);
- (f) Drinking fountain(s).

(3) Interview Space(s). For private interviews relating to social service, credit, admissions, etc.

(4) General or individual office(s). For business transactions, medical and financial records, administrative and professional staffs.

(5) Multipurpose room(s). For conferences, meetings, and health education purposes. Provide visual aids and projection equipment.

(6) Staff lounge. May be omitted in facilities having less than ten (10) full-time employees.

(7) Staff's toilet facilities.

(8) Storage space for employees' personal effects.

(9) Storage facilities for office supplies, sterile supplies, pharmacy, splints and other orthopedic supplies and housekeeping supplies and equipment.

Section 9. Clinical Facilities. (1) General purpose examination room(s) to be used for clinics serving medical, O.B., etc. Examinations shall have a minimum clear floor area of eighty (80) square feet, excluding such other spaces as vestibule, toilet, closet, and work counter (whether fixed or

movable). Arrangement shall permit at least thirty (30) inches of clear space at each side and at foot of examination table. Provide lavatory or sink with handwashing facility and counter or shelf space for writing.

(2) Special purpose examination rooms. Provide rooms for special clinics serving eye, dental, and ear, nose and throat examinations. Size determined by types of equipment used but not less than eighty (80) square feet clear floor area, excluding such other spaces as vestibule, toilet, closet, or work counter (whether fixed or movable.) Provide work counter and lavatory or sink with handwashing facility.

(3) Treatment room(s) for minor surgical procedures and cast procedures shall have a minimum floor area of 120 square feet, excluding such other spaces as vestibule, toilet, closet, and work counter (whether fixed or movable). The minimum room dimension shall be ten (10) feet. Provide a work counter, storage cabinets, and lavatory or sink with handwashing facility.

(4) Observation room(s) for handling isolation, suspect or disturbed patients. In small facilities having an annual patient visit load of 15,000 or less, this room may be omitted and this function may be accommodated in an examination room. It shall be conveniently located to nurses' station to permit supervision and shall include facilities to prevent patient's hiding, escape, injury or suicide. Direct access to a toilet room shall be provided from each observation room without need for patient to enter corridor.

(5) Facilities for charting and for clinical records. (Nurses' station(s).) Provide counter space, temporary storage, and communication device; these may be located in each examination room and each treatment room.

(6) Drug distribution station. This may be a medicine preparation room or alcove, a self-contained medicine dispensing unit or other approved system. If used, a medicine preparation room or alcove must be located as to be under nursing staff visual control and shall contain a work counter, refrigerator, and locked storage for biologicals and drugs. A medicine dispensing unit may be located at the nurses' station, in the clean workroom, in an alcove or other space under direct control of nursing staff.

(7) A clean workroom or a clean holding room as part of a system for storage and distribution of clean supply materials. The clean workroom shall contain a work counter, handwashing and storage facilities. A clean holding room shall be similar to a clean workroom except that the work counter and handwashing facilities may be omitted.

(8) A soiled workroom or a soiled holding room as part of a system for the collection and disposal of soiled materials. The soiled workroom shall contain a clinical sink or equivalent flushing rim fixture, sink equipped for handwashing, work counter, waste receptacles, and linen receptacle. A soiled holding room shall be similar to the soiled workroom except that the clinical sink and work counter may be omitted.

(9) Sterilizing facilities. An autoclave shall be provided. It may be located in clean workroom or in a separate room.

Section 10. Diagnostic facilities. (1) Radiology suite. It shall provide equipment for diagnostic purposes but may also include therapeutic equipment. The suite shall contain:

- (a) Radiographic room(s). (See Section 13(1)(m) for special requirements.)
- (b) Film processing facilities.
- (c) Viewing and administration area(s).
- (d) Film storage facilities.
- (e) Toilet room which is directly accessible from each fluoroscopy room without entering the general corridor area.
- (f) Dressing area(s) with convenient access to public toilets.

(2) Laboratory facilities. Facilities shall be provided directly within the outpatient department or through an effective contract arrangement with a nearby hospital or other laboratory service for hematology, clinical chemistry, urinalysis, cytology, and bacteriology. If these facilities are provided through such a contract, then at least the following shall be provided in the outpatient department:

- (a) Laboratory work counter(s) with sink, gas and electric service.
- (b) Lavatory(ies) with handwashing facility.
- (c) Storage cabinet(s) or closet(s).
- (d) Specimen collection facilities. Urine collection rooms shall be equipped with a water closet and lavatory. Blood collection facilities shall have space for a chair and work counter.

Section 11. Janitor's closet(s). This room shall contain a sink and storage for housekeeping supplies and equipment. Provide at least one (1) janitor's closet per floor.

Section 12. Engineering Service and Equipment Areas. The following shall be provided: (1) Room(s) for boilers, mechanical equipment, and electrical equipment.

(2) Storage room for building maintenance supplies and yard equipment.

(3) Locker, toilet and shower room(s).

(4) Refuse storage room. This shall be located convenient to service entrance.

(5) Waste processing service.

- (a) Provide space and facilities for the sanitary storage and disposal of waste by incineration, mechanical destruction, compaction, containerization, or removal, or by a combination of these techniques.
- (b) If provided, the incinerator shall be in a separate

room, in a designated area within the boiler room, or placed outdoors.

- (c) Design and construction of incinerators and chutes shall be in accordance with the current Kentucky standards of safety regulations as adopted by the State Fire Marshal's Office.
- (d) The design and installation of incinerators must comply with the current Kentucky standards for air contaminants for incinerators as adopted by the Bureau of Environmental Quality, Department for Natural Resources and Environmental Protection.

Section 13. Details and Finishes. All details and finishes shall meet the following requirements: (1) Details.

- (a) Minimum public corridor width shall be five (5) feet.
- (b) Details relating to exits and other life safety features shall be in accordance with Chapter 13 of National Fire Protection Association Standard No. 101 as adopted by the State Fire Marshal's Office except that Sections 13-1132, 13-1253, 13-1312, 13-1313, 13-132, 13-133, and 13-142 shall not apply.
- (c) Items such as drinking fountains, telephone booths, vending machines, and portable equipment shall be located so as not to restrict corridor traffic or reduce the corridor width below the required minimum.
- (d) All doors to toilets which may be used by patients shall be equipped with hardware which will permit access in any emergency.
- (e) The minimum width of doors for patient access to examination and treatment rooms shall be two (2) feet and ten (10) inches.
- (f) Doors on all openings between corridors and rooms or spaces subject to occupancy, except elevator doors, shall be swing type. Openings to showers, baths, toilets, and other small wet-type areas that are not subject to fire hazard are exempt from this requirement.
- (g) No doors shall swing into corridors in a manner which might obstruct traffic flow or reduce the required corridor width except doors to spaces such as small closets which are not subject to occupancy. (Large walk-in type closets are considered as occupiable spaces.) Doors between all rooms and corridors (except those exempt from swing-type requirements) shall be of not less than one and three-fourths (1 3/4) inches thick solid core wood flush doors or thirty (30) minute fire-rated construction except for doors to hazardous areas which are specifically identified elsewhere. Fire door hardware is not required on thirty (30) minute fire-rated doors.
- (h) Entrance doors, dielights, borrowed lights, and windows in which the glazing extends down to within eighteen (18) inches of the floor (thereby creating possibility of accidental breakage by pedestrian traffic) shall be glazed with safety glass, wire glass or plastic glazing material that will resist breaking or will not create dangerous cutting edges when broken. Similar materials shall be used in wall openings of playrooms and exercise rooms unless required otherwise for fire safety.
- (i) Thresholds and expansion joint covers shall be made flush with the floor surface to facilitate use of wheelchairs and carts.
- (j) The location and arrangement of handwashing facilities shall permit their proper use and operation. Particular care shall be given to the clearances required for blade-type operating handles.
- (k) Paper towel dispensers and waste receptacles shall be provided at all lavatories and sinks used for handwashing.
- (l) Dumbwaiters, conveyors and material handling systems shall not open into corridor or exitway but shall open into a room enclosed by construction having a fire resistance of not less than one (1) hour and Class C three-fourths (3/4) hour labeled fire doors. Service entrance doors to vertical shafts containing dumbwaiters, conveyors, and material handling systems shall be not less than Class B one and one-half (1 1/2) hour labeled fire doors. Where horizontal systems penetrate fire-rated walls or smoke partitions, the opening thereto must be provided with Class B one and one-half (1 1/2) hour labeled fire door for two (2) hour walls and Class C three-fourths (3/4) hour labeled fire door for one (1) hour walls or partitions.
- (m) Radiation protection requirements of x-ray and gamma ray installations shall conform with the current Kentucky standards for radiographic and radioisotope equipment and use regulations applicable to outpatient clinics and ambulatory care facilities. Provisions shall be made for testing the completed installation before use and all defects must be corrected before acceptance.
- (n) Ceiling heights:
 - 1. Boiler rooms. Not less than two (2) feet and six (6) inches above the main boiler header and connecting piping.
 - 2. Radiographic and other rooms containing ceiling mounted equipment and including those having ceiling mounted surgical light fixtures shall have height

required to accommodate the equipment and/or fixtures.

- 3. All other rooms shall be not less than eight (8) feet high ceilings except that corridors, storage rooms, toilet rooms, and other minor rooms may be not less than seven (7) feet and eight (8) inches. Tracks, rails, pipes, etc., located in the path of normal traffic, shall be not less than six (6) feet and eight (8) inches above the floor.
- (o) Rooms containing heat producing equipment (such as boiler or heater rooms) shall be insulated and ventilated to prevent any floor surface above from exceeding a temperature ten (10) degrees Fahrenheit above the ambient room temperature.
- (p) Approved fire extinguishers shall be provided throughout the building in accordance with the current Kentucky standards of safety as adopted by the State Fire Marshal's Office.
- (2) Finishes:
 - (a) Cubicle curtains, draperies, etc. shall be noncombustible or rendered flame retardant and shall pass both the large and small scale tests of NFPA Standard No. 701 as adopted by the State Fire Marshal's Office in the Kentucky standards of safety.
 - (b) Flame spread and smoke developed requirements of finishes are covered under section.
 - (c) Floor materials shall be easily cleanable and have wear resistance appropriate for the location involved. In all areas subject to frequent wet cleaning, floor materials shall not be physically affected by germicidal and cleaning solutions. Floors that are subject to traffic while wet, as shower and bath areas and certain work areas, shall have a non-slip surface.
 - (d) Wall finishes shall be washable and, in the immediate of plumbing fixtures, shall be smooth, moisture resistant, and easily cleaned.
 - (e) Wall bases in soiled workrooms and other areas subject to frequent wet cleaning shall be made integral and coved with the floor, tightly sealed within the wall, and constructed without voids that can harbor insects.
 - (f) Floor and wall penetrations by pipes, ducts, conduits, etc., shall be tightly sealed to minimize entry of rodents and insects. Joints of structural elements shall be similarly sealed.
 - (g) Acoustical ceilings shall be provided in corridors, multi-purpose rooms, and waiting areas.

Section 14. Construction Including Fire-Resistive Requirements. Except as noted below, construction of outpatient facilities shall generally be similar to recognized standards applicable to office occupancies.

(1) Foundations shall rest on natural solid bearing if a satisfactory soil is available at reasonable depths. Proper soil-bearing values shall be established in accordance with recognized standards. If solid bearing is not encountered at practical depths, the structure shall be supported on driven piles or drilled piers designed to support the intended load without detrimental settlement, except that one (1) story buildings may rest on a fill designed by a soils engineer. When engineered fill is used, site preparation and placement of fill shall be done under the direct full-time supervision of the soils engineer. The soils engineer shall issue a final report on the grading operation and a certification of compliance with the job specifications. All footings shall extend to a depth not less than one (1) foot below the estimated maximum frost line.

(2) Interior finish materials shall comply with the flame spread limitations and the smoke production limitations shown in Table 1. If a separate underlayment is used with any floor finish materials, the underlayment and the finish material shall be tested as a unit or equivalent provisions taken as to the effect of the underlayment on the flammability characteristics of the floor finish material. Tests shall be performed by an independent testing laboratory.

Table 1. Flame Spread and Smoke Production Limitations on Interior Finishes

		Flame Spread	Smoke Production
Walls and	Exitways, storage rooms and areas of unusual fire hazards	ASTM-E84* 0-25	ASTM-E84* 0-250
Ceilings	All other areas	ASTM-E84* 0-75	ASTM-E84* 0-250
All Floors		ASTM-E84* 0-75	ASTM-E84* 0-250

*American Society for Testing and Materials Standard E84-70, filed herein by reference.

(3) Building insulation. Building insulation materials shall be non-combustible. Exposed vapor barriers and coverings on building insulation shall be non-combustible or fire retardant.

(4) Fire safety approval. Prior to final approval of plans and specifications by the state licensure agency, the plans and specifications must be approved by the State Fire

Marshal's Office or their authorized representative.

Section 15. Elevators:

(1) General. Elevators shall be required where examination or treatment rooms or diagnostic services are located on other than the main entrance floor. The elevators shall be installed in sufficient quantity, capacity, and speed that the average interval of dispatch time will not exceed one (1) minute, and average peak loading can be accommodated.

(2) Cars and platforms. Elevator cars and platforms shall be constructed of non-combustible material except that fire-retardant treated material may be used if all exterior surfaces of the car are covered with metal. Cars shall have a minimum inside floor dimension of not less than five (5) feet. The car door shall have a clear opening of not less than three (3) feet.

(3) Leveling. Elevators shall have automatic leveling of the two-way automatic maintaining type with accuracy within plus or minus one-half (1/2) inch.

(4) Operation. Elevators (except freight elevators) shall be equipped with two-way special service switches to permit cars to bypass all landing button calls and be dispatched directly to any floor.

(5) Field inspection and tests. The contractor shall be required to cause inspections and tests to be made and shall deliver to the owner written certification that the installation meets the requirements set forth in this section.

Section 16. Mechanical requirements.

(1) General:

(a) Prior to completion and acceptance of the facility, all mechanical systems shall be tested, balanced and operated to demonstrate to the owner or his representative that the installation and performance of these systems conform to the requirements of the plans and specifications.

(b) Upon completion of the contract, the owner shall be furnished with a complete set of manufacturers' operating, maintenance, and preventive maintenance instructions, and parts list with numbers and description for each piece of equipment, and provided with instruction in the operational use of systems and equipment as required.

(2) Thermal and acoustical insulation:

(a) Insulate the following within the buildings:

1. Boilers, smoke breeching stacks;
2. Steam and condensate return piping;
3. Hot water piping above 180 degrees Fahrenheit and all hot water heaters, generators, and convertors.
4. Hot water piping operating above 120 degrees Fahrenheit exposed to patient contact;
5. Chilled water, refrigerant, other process piping and equipment operating with fluid temperatures below ambient dew point;
6. Water supply and draining piping on which condensation may occur;
7. Air ducts and casings with outside surface temperature below ambient dew point or to maintain the efficiency of the system;
8. Other piping and equipment as necessary to maintain the efficiency of the systems.

(b) Insulation on cold surfaces shall include an exterior vapor barrier.

(c) Insulation including finishes and adhesives on the exterior surfaces of ducts, pipes, and equipment shall have a flame spread rating of twenty-five (25) or less and a smoke developed rating of 150 or less as determined by an independent testing laboratory in accordance with the American Society of Testing and Materials, Standard E84-70, filed herein by reference.

(d) Linings in ducts and equipment shall meet the Erosion Test Method described in Underwriters' Laboratories Publication No. 181. The linings including coatings and adhesives shall have a flame spread rating of twenty-five (25) or less and a smoke developed rating of fifty (50) or less as determined by an independent testing laboratory in accordance with the American Society of Testing and Materials, Standard E84-70, filed herein by reference.

(3) Steam and hot water systems:

(a) Boilers. Boilers shall have the capacity, based upon the published Steel Boiler Institute or Institute of Boiler and Radiator Manufacturers' net ratings to supply the normal requirements of all systems and equipment. The heat source may be an integral part of the facility or from a remote facility.

(b) Valves. Supply and return mains and risers of space heating and process steam systems shall be valved to isolate the various section of each system. Each piece of equipment shall be valved at the supply and return end.

(4) Heating, ventilating and filtering systems:

(a) Temperatures. Heating system shall be designed on the basis of seventy-five (75) degrees Fahrenheit for all occupied areas at winter design conditions.

(b) Ventilation system details. All air supply and air exhaust systems shall be mechanically operated. All fans serving exhaust systems shall be located at or near the point of discharge from the building. The ventilation rates shown in Table 1 shall be considered as minimal acceptable rates and shall not be

construed as precluding higher ventilation rates.

1. Outdoor air intakes, other than for individual room units, shall be located as far as practicable but not less than twenty-five (25) feet from the exhausts from any ventilating system, plumbing stack, combustion equipment, or areas that may collect vehicular exhaust and other noxious fumes. The bottom of outdoor air intakes shall be located as high as practicable but not less than three (3) feet above the ground level, or, if installed through the roof, three (3) feet above roof level or parapets.
2. The ventilating systems shall be designed and balanced to provide the general pressure relationships shown in Table 1, and areas not shown shall be balanced.

3. Room supply air inlets, recirculation and exhaust air outlet shall be located not less than three (3) inches above the floor.

4. Central systems shall be equipped with filter or filters with a minimum filtering efficiency of twenty-five (25) percent certified by an independent testing agency.

5. Filter frames, enclosing duct work and filter segments, shall be sealed or gasketed to provide positive seal against air leakage.

6. A manometer shall be installed across each filter bed serving central air systems.

7. Duct installations, material and duct linings shall meet or exceed the requirements of NFPA Standard No. 90A as adopted by the State Fire Marshal's Office for outpatient clinics and ambulatory care centers.

8. Ducts which penetrate construction intended for x-ray and other ray protection shall not impair the effectiveness of the protection.

9. Laboratory hoods for general use shall have a minimum coverage face velocity of seventy-five (75) feet per minute. Hoods in which infections or radioactive materials are processed shall have a face velocity of 100 feet per minute and each shall have an independent exhaust system with the fan at the discharge point of the system. Duct systems serving these hoods shall be constructed of corrosion-resistant material. The exhausts from all hoods in which infections or radioactive materials are processed shall be equipped with filters having a ninety-nine (99) percent filtering efficiency based on the DOP (dioctyl phthalate) test method and there shall be equipment and/or procedures for the safe removal and replacement of contaminated filters.

(5) Plumbing and other piping systems. All plumbing systems shall be installed in accordance with the current Kentucky plumbing standards regulations applicable to outpatient clinics and ambulatory care centers.

(a) Plumbing fixtures:

1. The material used for plumbing fixtures shall be of non-absorptive acid-resistant material.

2. Lavatories and sinks required in patient care areas shall have the water supply spout mounted so that its discharge point is a minimum distance of five (5) inches above the rim of the fixture. All fixtures used by medical and nursing staff, and all lavatories used by patients shall be trimmed with valves which can be operated without the use of hands. Where blade handles are used for this purpose, they shall not exceed four and one-half (4 1/2) inches in length, except that handles on clinical sinks shall not be less than six (6) inches long.

3. Clinical sinks shall have an integral trap in which the upper portion of a visible trap seal provides a water surface.

(b) Water supply systems:

1. Systems shall be designed to supply water and at sufficient pressure to operate all fixtures and equipment during maximum demand periods.

2. Each water service main, branch main, riser and branch to a group of fixtures shall be valved. Stop valves shall be provided at each fixture.

3. Backflow preventers (vacuum breakers) shall be installed on hose bibbs and on all fixtures to which hoses or tubing can be attached, such as janitors' sinks and bedpan flushing attachments.

4. Flush valves installed on plumbing fixtures shall be of a quiet operating type, equipped with silencers.

5. Hot water distribution systems shall be arranged to provide hot water at each hot water outlet at all times. Hot water to handwashing facilities and showers shall not exceed 110 degrees Fahrenheit.

- (c) Drainage systems. Building sewers shall discharge into a community sewage system. Where such a system is not available, a facility providing sewage treatment which conforms to applicable local and state regulations is required.

- (d) Fire extinguishing systems. Automatic fire extinguishing systems shall be installed in trash rooms, bulk storage rooms, attic spaces and crawl spaces used for storage, and any other hazardous area. Storage rooms of less than 100 square feet are excluded from this requirement.

- (e) Nonflammable medical gas systems. Nonflammable medical gas systems installation shall be in accordance with requirements of NFPA Standard No. 56-F as

adopted by the State Fire Marshal's Office for outpatient clinics and ambulatory care centers.

Section 17. Electrical Requirements. (1) General:

(a) All material including equipment, conductors, controls, and signaling devices shall be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facilities shown in the specifications or indicated on the plans. All materials shall be listed as complying with applicable standards of Underwriters' Laboratories, Inc., or other similarly established standards.

(b) The project contract shall require testing of all electrical installations and systems and shall show that the equipment is correctly installed and operates as planned or specified.

(2) Switchboard and power panels. Circuit breakers or fusible switches that provide disconnecting means and overcurrent protection for conductors connected to switchboards and distribution panelboards shall be enclosed or guarded to provide a deadfront type of assembly. The main switchboard shall be convenient for use, readily accessible for maintenance, clear of traffic lanes, and in a dry ventilated space free of corrosive fumes or gases. Overload protective devices shall be suitable for operating properly in the ambient temperature conditions.

(3) Distribution panelboards. Lighting and appliance panelboards shall be located on the same floor as the circuits they serve.

(4) Lighting:

(a) All spaces occupied by people, machinery, and equipment within buildings, the approaches to buildings, and parking lots shall have lighting.

(b) A portable or fixed examination light shall be provided in each examination and treatment room.

(5) Receptacles (convenience outlets):

(a) Rooms. Duplex grounding type receptacles shall be installed in all areas in sufficient quantities for the tasks to be performed. A minimum of one duplex receptacle for each wall shall be installed in each work area or room other than storage or lockers. Each examination or work table shall have access to a minimum of two (2) duplex receptacles.

(b) Corridors. Duplex receptacles for cleaning equipment and general use shall be installed approximately fifty (50) feet apart in all corridors and within twenty-five (25) feet of ends of corridors.

(6) X-ray installations. Fixed and mobile x-ray equipment installations shall conform to the current Kentucky Standards for radiographic and radioisotope equipment and use regulations applicable to outpatient clinics and ambulatory care facilities.

(7) Fire alarms. A manually-operated, electrically supervised, fire alarm system shall be installed in each building except one (1) story buildings having an area less than 5,000 square feet. In multistory buildings or in multibuilding facilities, the signal shall be coded or otherwise arranged to indicate the location of the station operated. Presignal systems will not be permitted. The design and installation of the systems must be approved by the State Fire Marshal's Office. (See Section 5(2).)

(8) Emergency lighting. Automatic emergency lighting to provide safe egress from the building in the event of power failure shall be provided.

Section 18. Table 2. Pressure Relationships and Ventilation of Outpatient Facilities.

Table 2. Pressure Relationships and Ventilation of Certain Areas of Outpatient Facilities

Area Designation	Pressure Relationship to Adjacent Areas	Minimum Air Changes of Outdoor Air Per Hour	Minimum Total Air Changes Per Hour	All Air Exhausted Directly to Outdoors
Dental room	N	2	6	Yes
Treatment room	N	2	6	—
Laboratory general (1)	N	2	6	—
X-ray & Film Processing	N	2	6	Yes
Clean workroom	P	2	6	—
Soiled workroom	N	2	10	Yes
Waiting room	O	2	6	—
Corridors	O	2	6	—
Examination room	O	2	6	—
Observation	N	2	6	Yes
Janitor's closet	N	—	10	Yes
Soiled storage	N	—	10	Yes
Toilet room	N	—	10	Yes

P = Positive N = Negative O = Equal — = Optional

(1) See Section 16(4)(b) for exceptions.

HOWARD BOST, Chairman

ADOPTED: December 12, 1974

APPROVED:

C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: April 8, 1975 at 4:38 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Howard Bost, Ph.D., Chairman, Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board, 275 East Main Street, Frankfort, Kentucky 40601.

**DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
Certificate of Need and Licensure Board
(902 KAR 20:100)**

RELATES TO: KRS 216.405 to 216.485, 216.990 (2)

PURSUANT TO: KRS 216.425, 13.082

SUPERSEDES: HFHS 21

NECESSITY AND FUNCTION: This regulation which relates to the operations and services of Ambulatory Surgical Center Facilities, is being promulgated pursuant to the mandate of KRS 216.425(3) that the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board regulate health facilities and health services.

Section 1. Scope: This regulation relates to the construction and alteration of Ambulatory Surgical Center Facilities.

Section 2. Definition: Ambulatory surgical center facilities, General: An ambulatory surgical center means a public or private institution with an organized medical staff that is established, equipped and operated primarily for the purpose of treatment of patients by surgery, whose recovery in the concurring opinions of the surgeon and/or the physician or dentist anesthesiologist will not require inpatient care.

Section 3. Characteristics of Ambulatory Surgical Center Facilities. The characteristics of ambulatory surgical centers are as follows: (1) Operates under the supervision of a staff of physicians and dentists.

(2) Permits surgical procedures to be performed by physicians, who at the time, are legally authorized to perform such procedures and are privileged to perform such procedures in at least one (1) hospital in the area.

(3) Requires (in all cases other than those requiring only local infiltration anesthetics) that a qualified physician or dentist anesthesiologist (or a registered nurse anesthesiologist acting under the direction of the operating surgeon) administer the anesthetics and remain present during the surgical procedure.

(4) Provides at least two (2) operating rooms and at least one (1) postanesthesia recovery room.

(5) Is equipped to perform diagnostic x-ray and laboratory examinations for diagnostic purposes, or has an agreement with a licensed hospital to provide these services.

(6) Does not provide accommodations for overnight stays.

(7) Provides the full time services of registered professional nurses for patient care in the operating and postanesthesia recovery room.

(8) Has available the necessary equipment and personnel to handle foreseeable emergencies (including defibrillator for cardiac arrest, a tracheotomy set for airway obstructions, and a blood supply, or ability to maintain blood volume).

(9) Maintains a written agreement with one (1) or more licensed hospitals in close proximity for immediate acceptance of patients who develop complications or require postoperative confinement.

(10) Provides for the periodic review of the center and its operations by a utilization review committee or other committee composed of physicians having no financial interest in the surgical center.

(11) Maintains adequate medical records for each patient.

(12) Provision shall not be made for any obstetrical deliveries.

Section 4. Preparation of Plans and Specifications.

(1) Before construction is begun for the erection of new buildings or alterations to existing buildings or any change in facilities, the licensee or applicant shall submit plans to the licensing agency for approval.

(2) Architectural drawings must bear the seal of an architect registered in the Commonwealth of Kentucky and the mechanical and electrical drawings must bear the seal of a professional engineer registered in the Commonwealth of Kentucky.

(3) Drawings shall not exceed thirty-six (36) inches by forty-six (46) inches when trimmed.

Section 5. Submission of Plans and Specifications.

(1) First stage; schematic plans. Single line drawings of each floor shall show the relationship of the various departments or services to each other and the room arrangement in each department. The name of each room shall be noted. Drawings shall include the typical patient room layouts (scaled one-fourth inch equals one foot) with dimensions noted. The proposed roads and walks, service and entrance courts, parking and orientation shall be shown in a plot plan.

(2) Second stage; preliminary plans:

(a) Architectural:

1. Plans of basement, floors, and roof showing space assignment, sizes and outline of fixed and movable

- equipment;
2. All elevations and typical sections;
 3. Plot plan showing roads, parking, and sidewalks;
 4. Areas and bed capacities by floors.
- (b) Mechanical:
1. Single line layout of all duct and piping systems;
 2. Riser diagrams for multistory construction;
 3. Scale layout of boilers and major associated equipment and central heating, cooling, and ventilating units.
- (c) Electrical:
1. Plans showing space assignment, sizes and outlines of fixed equipment such as transformers, main switch and switchboards, and generator sets;
 2. Simple riser diagram for multistory building construction, showing arrangement of feeders, subfeeders, bus work, load centers, and branch circuit panels.
- (d) Outline Specifications:
1. General description of the construction, including interior finishes, types and locations of acoustical material, and special floor covering;
 2. Description of the air-conditioning, heating, and ventilation systems and their controls, duct and piping systems; and dietary, laundry, sterilizing and other special equipment;
 3. General description of electrical service including voltage, number of feeders, and whether feeders are overhead or underground.
- (3) Third stage; contract documents:
- (a) Working drawings. Working drawings shall be complete and adequate for bid, contract, and construction purposes. Drawings shall be prepared for each of the following branches of the work: architectural, structural, mechanical, and electrical. They shall include the following:
1. Architectural drawings:
 - a. Approach plan showing all new topography, newly established levels and grades, existing structures on the site (if any), new building structures, roadways, walks, and parking areas;
 - b. Plan of each basement, floor and roof;
 - c. Elevations of each facade;
 - d. Sections through building;
 - e. Required scale and full-size details;
 - f. Schedule of doors, windows, and room finishes;
 - g. Equipment; location of all fixed equipment. Layout of typical and special rooms indicating all fixed equipment and major items of movable equipment. Equipment not included in contract shall be so indicated;
 - h. Conveying systems; details of construction, machine and control spaces necessary, size and type of equipment, and utility requirements, for the following: dumbwaiters: electric, hand, hydraulic; elevators: freight, passenger, patient; loading dock devices; pneumatic tube systems.
 2. Structural drawings:
 - a. Plans for foundations, floors, roofs, and all intermediate levels with sizes, sections, and the relative location of the various structural members;
 - b. Dimensions of special openings;
 - c. Details of all special connections, assemblies, and expansion joints.
 3. Mechanical drawings:
 - a. Heating, steam piping, and air-conditioning systems; radiators and steam heated equipment, such as sterilizers, warmers, and steam tables; heating and steam mains and branches with pipe sizes; diagram of heating and steam risers with pipe sizes; sizes, types, and capacities of boilers, furnaces, hot water heaters with stokers, oil burners, or gas burners; pumps, tanks, boiler breeching, and piping and boiler room accessories; air-conditioning systems with required equipment, water and refrigerant piping, and ducts; supply and exhaust ventilation systems with heating/cooling connections and piping; air quantities for all room supply and exhaust ventilating duct openings.
 - b. Plumbing, drainage, and standpipe systems; size and elevation of: street sewer, house sewer, house drains, street water main, and water service into the building; location and size of soil, waste, and water service with connections to house drains, clean-outs, fixtures, and equipment; size and location of hot, cold and circulating branches, and risers from the service entrance, and tanks; riser diagram of all plumbing stacks with vents, water risers, and fixture connections; gas, oxygen, and vacuum systems; standpipe and sprinkler systems where required; all fixtures and equipment that require water and drain connections.
 4. Electrical drawings:
 - a. Electric service entrance with switches and feeders to the public service feeders, characteristics of the light and power current, transformers and their connections if located in the building;
 - b. Location of main switchboard, power panels, light panels, and equipment. Diagram of feeders and conduits with schedule of feeder breakers or switches;
 - c. Light outlets, receptacles, switches, power outlets, and circuits;
 - d. Telephone layout showing service entrance, telephone switchboard, strip boxes, telephone outlets, and

- e. Nurses' call systems with outlets for beds, duty stations, door signal light, annunciators, and wiring diagrams;
 - f. Fire alarm system with stations, signal devices, control board, and wiring diagrams;
 - g. Emergency electrical system with outlets, transfer switch, sources of supply, feeders, and circuits;
 - h. All other electrically operated systems and equipment.
- (b) Specifications. Specifications shall supplement the drawings to fully describe types, sizes, capacities, workmanship, finishes and other characteristics of all materials and equipment and shall include:
1. Cover or title sheet;
 2. Index;
 3. Sections describing materials and workmanship in detail for each class of work;
 4. General conditions, which must contain the following requirements: Access to the work: representatives of the appropriate state agencies will have access at all reasonable times to the work wherever it is in preparation or progress, and the contractor shall provide proper facilities for such access and inspection.

Section 6. Code and Standards. (1) General. Nothing stated herein shall relieve the sponsor from compliance with building codes, ordinances, and regulations which are enforced by city, county, or state jurisdictions.

(2) The following codes and standards will apply where applicable:

- (a) Current Kentucky standards of safety regulations applicable to ambulatory surgical center facilities.
- (b) Current Kentucky plumbing standards regulations applicable to ambulatory surgical center facilities.
- (c) Current Kentucky standards for air contaminants for incinerators regulations applicable to ambulatory surgical center facilities.
- (d) Current Kentucky standards for elevators regulations applicable to ambulatory surgical center facilities.

Section 7. Facility Requirements and Special Conditions. (1) These regulations, except Section 6 which may be administered independent from these regulations, apply to the construction of new facilities and facilities that are being converted to ambulatory surgical center facilities. Existing facilities will be expected to make a concerted and demonstrated effort to fully comply with these regulations and must prove to the satisfaction of the board that there is valid, reasonable, and specific justification for not being in full compliance. The board, however, reserves the right to establish deadlines for compliance to standards of significant importance as determined by the board.

(2) All ambulatory surgical center facilities shall contain but not be limited to all the elements described herein, or the narrative program shall indicate the manner in which the needed services are to be conveniently available. When services are to be shared or purchased, appropriate modifications or deletions in space and equipment requirements should be made to avoid duplication. Each element provided in the ambulatory surgical center facility must meet the construction requirements outlined herein as a minimum, with the understanding that in many instances the elements will need to be expanded to fulfill the program requirements.

(3) A narrative program for each project shall be provided by the sponsor which describes the functional space requirements, staffing patterns, departmental relationships, and other basic information relating to the fulfillment of the objectives of the facility.

Section 8. Special Considerations. (1) The extent (number and types of rooms) of the diagnostic, clinical, and administrative facilities to be provided will be determined by the services contemplated and the estimated patient load as described in the narrative program.

(2) The planning of ambulatory surgical center facilities should provide for the privacy and dignity of the patient during interview, examination, and treatment.

(3) Facilities shall be available and accessible to the public, staff, and patients who may be physically handicapped. Special attention shall be given to ramps, drinking fountain height, tilted mirrors, and other items deemed necessary for the physically handicapped.

(4) Adequate parking facilities shall be provided for the staff and patients. In the absence of a formal parking study, vehicle parking for ambulatory surgical center facilities shall be provided at the ratio of three (3) spaces for each doctor plus one (1) space for each staff member. Exceptions may be made for facilities located in areas with a high population density if adequate public parking is available or if the facility is accessible to a public transportation system. On-street parking, if available, may be considered as meeting part of this requirement.

Section 9. Administration Department. (1) Entrance. It shall be located at grade level, sheltered from the effects of inclement weather, and be able to accommodate wheelchairs and stretchers.

(2) Lobby: shall include:

- (a) Wheelchair storage space(s);
- (b) Reception and information counter or desk;
- (c) Waiting space(s);
- (d) Public toilet facilities;

- (e) Public telephone(s);
- (f) Drinking fountain(s).
- (3) Interview space(s). For private interview relating to social service, credit, admissions, etc.
- (4) General or individual office(s). For business transactions, medical and financial records, administrative and professional staffs.
- (5) Multipurpose room(s). For conferences, meetings, and health education purposes. Provide visual aids and projection equipment.
- (6) Staff lounge. May be omitted in facilities having less than ten (10) full time employees.
- (7) Staff's toilet facilities.
- (8) Storage space for employees' personal effects.
- (9) Storage facilities for office supplies, sterile supplies, pharmacy, splints and other orthopedic supplies and housekeeping supplies and equipment.

Section 10. Clinical Facilities. (1) General purpose examination room(s) to be used for medical examinations shall have a minimum clear floor area of eighty (80) square feet, excluding such other spaces as vestibule, toilet, closet, and work counter (whether fixed or movable). Arrangement shall permit at least thirty (30) inches of clear space at each side and at foot of examination table. Provide lavatory or sink with handwashing facility and counter or shelf space for writing.

(2) Facilities for charting and for clinical records (nurses' station(s)). Provide counter space, temporary storage, and communication device; these may be located in each examination room and each treatment room.

(3) Drug distribution station. If the facility is to maintain a medication preparation room for the proper storage of drugs and biologicals, it shall be so located as to be under the nursing staff's visual control. It shall contain a work counter, refrigerator, and locked storage for drugs and biologicals.

Section 11. Medical Records Unit. This unit shall include:

- (1) Active record storage area;
- (2) Record review and dictating room;
- (3) Work area for sorting, recording, or microfilming;
- (4) Inactive record storage area. (May be omitted if microfilming is used.)

Section 12. Diagnostic Facilities. (1) Radiology suite. It shall provide equipment for diagnostic purposes but may also include therapeutic equipment. The suite shall contain:

- (a) Radiographic room(s);
- (b) Film processing facilities;
- (c) Viewing and administration area(s);
- (d) Film storage facilities;
- (e) Toilet room which is directly accessible from each fluoroscopy room without entering the general corridor area;
- (f) Dressing area(s) with convenient access to public toilets.

(2) Laboratory facilities. Facilities shall be provided directly within the ambulatory surgical center or through an effective contract arrangement with a nearby hospital or other laboratory service for hematology, clinical chemistry, urinalysis, cytology, and bacteriology. If these facilities are provided through such a contract, then at least the following shall be provided:

- (a) Laboratory work counter(s) with sink, gas and electric service;
- (b) Lavatory(ies) with handwashing facility;
- (c) Storage cabinet(s) or closet(s);
- (d) Specimen collection facilities. Urine collection rooms shall be equipped with a water closet and lavatory. Blood collection facilities shall have space for a chair and work counter.

Section 13. Janitor's Closet(s). This room shall contain a sink and storage for housekeeping supplies and equipment. Provide at least one (1) janitor's closet per floor.

Section 14. Surgical Suite. (1) General. The suite shall be located to prevent through traffic.

(2) Operating rooms. A minimum of two (2) operating rooms shall be provided.

(3) Recovery facilities. A separate room with charting space, medication storage and preparation space, and clinical sink is required.

(4) Service areas in each surgical suite. The size of each service area will depend on the surgical workload and shall include:

- (a) Surgical supervisor station;
- (b) Sterilizing facilities; near operating room with hi-speed autoclave;
- (c) Facilities for storage and preparation of medication;
- (d) Scrubup facilities; adjacent to operating rooms;
- (e) Soiled workroom. Shall contain counter, clinical sink, waste receptacles, and soiled linen receptacles;
- (f) Storage for sterile and unsterile supplies, (may be in clean workroom);
- (g) Anesthesia workroom for cleaning and storage of equipment;
- (h) Storage room for anesthetic agents;
- (i) Nitrous oxide and oxygen facilities; (provide storage room if these services are not piped in);

- (j) Clean workroom for storage and assembly of supplies; shall contain counter and sink;
- (k) Equipment storage room for surgical and monitoring equipment;
- (l) Janitor's closet. Floor receptor or service sink and storage for housekeeping supplies and equipment;
- (m) Clothing change areas, lockers, and toilet rooms for doctors, nurses, orderlies, and other personnel;
- (n) Holding area (for patients) in facilities with two (2) or more operating rooms;
- (o) Stretcher alcove.

Section 15. Central Medical and Surgical Supply Department. The following areas shall be separated from each other:

(1) Receiving and cleanup room. Space for cleaning equipment and disposing or processing of unclean articles shall be provided.

(2) Clean workroom. This room shall be divided into work space, clean storage area, sterilizing facilities, and storage area for sterile supplies.

(3) Unsterile supply storage area: may be located in an area other than this department.

Section 16. Engineering Service and Equipment Areas. The following shall be provided: (1) Room(s) for boilers, mechanical equipment, and electrical equipment.

(2) Storage room for building maintenance supplies and yard equipment.

(3) Locker, toilet and shower room(s).

(4) Refuse storage room: this shall be located convenient to service entrance.

(5) Waste processing services:

- (a) Provide space and facilities for the sanitary storage and disposal of waste by incineration, mechanical destruction, compaction, containerization, or removal, or by a combination of these techniques.
- (b) If provided, the incinerator shall be in a separate room, in a designated area within the boiler room, or placed outdoors.
- (c) Design and construction of incinerators and chutes shall be in accordance with Part III of NFPA Standard No. 82 as adopted by the State Fire Marshal's Office for ambulatory surgical center facilities.
- (d) The design and installation of incinerators must comply with the current Kentucky Standards for air contaminants for incinerators regulations applicable to ambulatory surgical center facilities.

Section 17. Details and Finishes. All details and finishes shall meet the following requirements: (1) Details:

- (a) Minimum public corridor width shall be five (5) feet and corridors inside surgical suite shall be eight (8) feet minimum width.
- (b) Details relating to exits and other life safety features shall be in accordance with Chapter 13 of the National Fire Protection Association Standard No. 101, as adopted by the State Fire Marshal's Office for ambulatory surgical center facilities, except that Sections 13-1132, 13-1253, 13-1312, 13-1313, 13-132, 13-133, and 13-142 shall not apply.
- (c) Items such as drinking fountains, telephone booths, vending machines, and portable equipment shall be located so as not to restrict corridor traffic or reduce the corridor width below the required minimum.
- (d) All doors to toilets which may be used by patients shall be equipped with hardware which will permit access in any emergency.
- (e) The minimum width of doors for patient access to examination rooms shall be three (3) feet. Minimum width of doors to all rooms needing access for beds or stretchers shall be three (3) feet and eight (8) inches.
- (f) Doors on all openings between corridors and rooms or spaces subject to occupancy, except elevator doors, shall be swing type. Openings to showers, baths, toilets, and other small wet-type areas that are not subject to fire hazard are exempt from this requirement.
- (g) No doors shall swing into corridors in a manner that might obstruct traffic flow or reduce the required corridor width except doors to spaces such as small closets which are not subject to occupancy. (Large walk-in type closets are considered as occupiable spaces.) Doors between all rooms and corridors (except those exempt from swing-type requirements) shall be of not less than one and three-fourths (1 3/4) inches thick solid core wood flush doors or thirty (30) minute fire-rated construction except for doors to hazardous areas which are specifically identified elsewhere. Fire door hardware is not required on thirty (30) minute fire-rated doors.
- (h) Entrance doors, sidelights, borrowed lights, and windows in which the glazing extends down to within eighteen (18) inches of the floor (thereby creating possibility of accidental breakage by pedestrian traffic) shall be glazed with safety glass, wire glass or plastic glazing material that will resist breaking or will not create dangerous cutting edges when broken. Similar materials shall be used in wall openings of playrooms and exercise rooms unless required otherwise for fire safety.
- (i) Thresholds and expansion joint covers shall be made flush with the floor surface to facilitate use of

- wheelchairs and carts.
- (j) The location and arrangement of handwashing facilities shall permit their proper use and operation. Particular care shall be given to the clearances required for blade-type operating handles.
 - (k) Paper towel dispensers and waste receptacles shall be provided at all lavatories and sinks used for handwashing.
 - (l) Dumbwaiters, conveyors and material handling systems shall not open into corridor or exitway but shall open into a room enclosed by construction having a fire resistance of not less than one (1) hour and Class C three-fourths (3/4) hour labeled fire doors. Service entrance doors to vertical shafts containing dumbwaiters, conveyors, and material handling systems shall be not less than Class B one and one-half (1 1/2) hour labeled fire doors. Where horizontal systems penetrate fire-rated walls or smoke partitions, the opening thereto must be provided with Class B one and one-half (1 1/2) hour labeled fire door for two (2) hour walls and Class C three-fourths (3/4) hour labeled fire door for one (1) hour walls or partitions.
 - (m) Radiation protection requirements of x-ray and gamma ray installations shall conform to current Kentucky standards for radiographic and radioisotope equipment and use regulations applicable to ambulatory surgical center facilities. Provisions shall be made for testing the completed installation before use and all defects must be corrected before acceptance.
 - (n) Ceiling heights:
 - 1. Boiler rooms: Not less than two (2) feet and six (6) inches above the main boiler header and connecting piping.
 - 2. Radiographic and other rooms containing ceiling mounted equipment and including those having ceiling mounted surgical light fixtures shall have a height of not less than nine (9) feet.
 - 3. All other rooms shall be not less than eight (8) feet high ceilings except that corridors, storage rooms, toilet rooms, and other minor rooms may be not less than seven (7) feet and eight (8) inches. Tracks, rails, pipes, etc., located in the path of normal traffic, shall be not less than six (6) feet and eight (8) inches above the floor.
 - (o) Rooms containing heat producing equipment (such as boiler or heater rooms) shall be insulated and ventilated to prevent any floor surface above from exceeding a temperature ten (10) degrees Fahrenheit above the ambient room temperature.
 - (p) Approved fire extinguishers shall be provided throughout the building in accordance with NFPA Standard No. 10 as adopted by the State Fire Marshal's Office for ambulatory surgical center facilities.
- (2) Finishes:
- (a) Cubicle curtains, draperies, etc., shall be noncombustible or rendered flame retardant and shall pass both the large and small scale tests of NFPA Standard No. 701 as adopted by the State Fire Marshal's Office for ambulatory surgical center facilities.
 - (b) Flame spread and smoke developed requirements of finishes are covered under Section 18(2).
 - (c) Floor materials shall be easily cleanable and have wear resistance appropriate for the location involved. In all areas subject to frequent wet cleaning, floor materials shall not be physically affected by germicidal and cleaning solutions. Floors that are subject to traffic while wet, as shower and bath areas and certain work areas, shall have a non-slip surface.
 - (d) Wall finishes shall be washable and in the immediate area of plumbing fixtures, shall be smooth, moisture resistant, and easily cleaned.
 - (e) Wall bases in soiled workrooms, areas used for surgical procedures, and other areas subject to frequent wet cleaning shall be made integral and coved with the floor, tightly sealed within the wall, and constructed without voids that can harbor insects.
 - (f) Floor and wall penetrations by pipes, ducts, conduits, etc., shall be tightly sealed to minimize entry of rodents and insects. Joints of structural elements shall be similarly sealed.
 - (g) Acoustical ceilings shall be provided in corridors, multipurpose rooms, and waiting areas.
 - (h) Ceilings in operating suites shall be washable.

Section 18. Construction Including Fire-Resistive Requirements. Except as noted below, construction of ambulatory surgical center facilities shall generally be similar to recognized standards applicable to office occupancies.

(1) Foundations shall rest on natural solid bearing if a satisfactory soil is available at reasonable depths. Proper soil-bearing values shall be established in accordance with recognized standards. If solid bearing is not encountered at practical depths, the structure shall be supported on driven piles or drilled piers designed to support the intended load without detrimental settlement, except that one (1) story buildings may rest on a fill designed by a soils engineer. When engineered fill is used, site preparation and placement of fill shall be done under the direct full-time supervision of the soils engineer. The soils engineer shall issue a final

report on the grading operation and a certification of compliance with the job specifications. All footings shall extend to a depth not less than one (1) foot below the estimated maximum frost line.

(2) Interior finish of walls and ceilings of all exitways, storage rooms, and areas of unusual fire hazard shall have a flame spread rating of not more than twenty-five (25); all other areas shall have a flame spread rating of not more than seventy-five (75), except that up to ten (10) percent of the aggregate wall and ceiling area may have a finish with a rating up to 200. Floor finish materials shall have a flame spread rating of not more than seventy-five (75). Flame spread ratings for each specific product shall be determined by an independent testing laboratory in accordance with the American Society for Testing and Materials, Standard E84-70, filed herein by reference.

(3) Building insulation materials shall be noncombustible. Exposed vapor barriers and coverings on building insulation shall be noncombustible or fire retardant.

(4) Fire safety approval. Prior to final approval of plans and specifications by the state licensure agency, the plans and specifications must be approved by the State Fire Marshal's Office or their authorized representative.

Section 19. Elevators. (1) General. Elevators shall be required where examination or treatment rooms or diagnostic services are located on other than the main entrance floor. The elevators shall be installed in sufficient quantity, capacity, and speed that the average interval of dispatch time will not exceed one (1) minute, and average peak loading can be accommodated.

(2) Cars and platforms. Elevator cars and platforms shall be constructed of noncombustible material except that fire-retardant treated material may be used if all exterior surfaces of the car are covered with metal. Cars shall have a minimum inside floor dimension of not less than five (5) feet. The car door shall have a clear opening of not less than three (3) feet.

(3) Leveling. Elevators shall have automatic leveling of the two (2) way automatic maintaining type with accuracy within plus or minus one-half (1/2) inch.

(4) Operation. Elevators (except freight elevators) shall be equipped with two (2) way special service switches to permit cars to bypass all landing button calls and be dispatched directly to any floor.

(5) Field inspection and tests. The contractor shall be required to cause inspections and tests to be made and shall deliver to the owner written certification that the installation meets the requirements set forth in this section.

Section 20. Mechanical Requirements. (1) General. Prior to completion of the contract and final acceptance of the facility, the architect and/or engineer shall obtain from the contractor certification that all mechanical systems have been tested and that the installation and performance of these systems conform to the requirements of the plans and specifications.

(2) Incinerators and refuse chutes. Incinerators shall be gas, electric, or oil-fired and shall be capable of, but need not be limited to complete destruction of pathological wastes. The design and installation must comply with the current Kentucky Standards for air contaminants for incinerators applicable to ambulatory surgical center facilities. Design and construction of refuse chutes shall be in accordance with Part III of the NFPA Standard No. 82 as adopted by the State Fire Marshal's Office for ambulatory surgical center facilities.

(3) Steam and hot water systems:

(a) Boilers. Boilers shall have the capacity, based upon the published Steel Boiler Institute or Institute of Boiler and Radiator Manufacturers' net ratings to supply the normal requirements of all systems and equipment. The heat source may be an integral part of the facility or from a remote facility.

(b) Boiler accessories. Boiler feed pumps, condensate return pumps, fuel oil pumps, and circulating pumps shall be connected and installed to provide standby service when any pump breaks down.

(c) Valves. Supply and return mains and risers of space heating and process steam systems shall be valved to isolate the various sections of each system. Each piece of equipment shall be valved at the supply and return end.

(d) Covering. Boilers, smoke breeching, steam supply piping, high pressure steam return piping, and hot water space heating supply and return piping shall be insulated with insulation having a flame spread rating of twenty-five (25) or less and a smoke-developed rating of fifty (50) or less.

(4) Air-conditioning, heating, and ventilating systems:

(a) Temperatures and humidities:

1. The systems shall be designed to provide the temperatures and humidities shown below:

Area Designation	Temp. F.	RH
Operating	70-76*	50-60
Recovery	75	50-60

*Variable range required

2. For all other occupied areas, a minimum temperature of seventy-five (75) degrees Fahrenheit shall be provided at winter design conditions.

(b) Ventilation system details. All air-supply and

air-exhaust systems shall be mechanically operated. All fans serving exhaust systems shall be located at the discharge end of the system. The ventilation rates shown on Table 1, Section 22, shall be considered as minimum acceptable rates and shall not be construed as precluding the use of higher ventilation rates if they are required to meet design conditions.

1. Outdoor ventilation air intakes, other than for individual room units, shall be located as far away as practicable but not less than twenty-five (25) feet from the exhausts from any ventilating system or combustion equipment. The bottom of outdoor intakes serving central air systems shall be located as high as possible but not less than eight (8) feet above the ground level or, if installed through the roof, three (3) feet above roof level.
2. The ventilation systems shall be designed and balanced to provide the general pressure relationship to adjacent areas as shown in Table 1, Section 22.
3. All air supplied to sensitive areas such as operating rooms shall be delivered at or near the ceiling of the area served, and all air exhausted from the area shall be removed near floor level. At least two (2) exhaust outlets shall be used in all operating rooms. Exhaust outlets shall be located not less than three (3) inches above the floor.
4. Room supply air inlets, recirculation, and exhaust air outlets installed in nonsensitive areas shall be located not less than three (3) inches above the floor.
5. Filters:
 - a. The ventilation systems serving sensitive areas such as operating rooms, recovery rooms, and laboratory sterile rooms, shall be equipped with a minimum of two (2) filter beds. Filter bed No. 1 shall be located upstream of the conditioning equipment and shall have a minimum efficiency of thirty (30) percent. Filter bed No. 2 shall be located downstream of the conditioning equipment and shall have a minimum efficiency of ninety (90) percent.
 - b. Central systems serving other than sensitive areas shall be provided with a filter or filters rated at a minimum of twenty-five (25) percent efficiency.
 - c. The above filter efficiencies shall be warranted by the manufacturer and shall be based on the National Bureau of Standards Dust Spot Test Method with Atmospheric Dust.
 - d. The exhausts from all laboratory hoods in which infectious or radioactive materials are processed shall be equipped with filters having a ninety-nine (99) percent efficiency based on the DOP (dioctyl-phthalate) test method.
 - e. Filter frames shall be durable and carefully dimensioned, and shall provide an air-tight fit with the enclosing ductwork. All joints between filter segments and the enclosing ductwork shall be gasketed or sealed to provide a positive seal against air leakage.
6. A manometer shall be installed across each filter bed serving central air systems.
7. Ducts shall be constructed of iron, steel, aluminum, or other approved metal or materials such as clay or asbestos cement.
8. Ducts which penetrate construction intended for x-ray or other ray protection shall not impair the effectiveness of the protection.
9. Duct linings shall meet the Erosion Test Method described in U. S. Pub. No. 181. Duct linings, coverings, vapor barriers, and the adhesives used for applying them shall have a flame spread classification of not more than twenty-five (25) and a smoke-developed rating of not more than fifty (50).
10. Acoustical lining materials shall not be used in the interior of duct systems serving sensitive areas such as operating rooms and recovery rooms.
11. Cold-air ducts shall be insulated wherever necessary to maintain the efficiency of the system or to minimize condensation problems.
12. Laboratories shall be provided with outdoor air at a rate of two (2) air changes per hour. If this ventilation rate does not provide the air required to ventilate fume hoods and safety cabinets, additional air shall be provided. A filter with ninety (90) percent efficiency shall be installed in the air supply system at its entrance to the media transfer room.
13. Laboratory hoods for general use shall have a minimum average face velocity of seventy-five (75) feet per minute. Hoods in which infectious or highly radioactive materials are processed shall have a face velocity of 100 feet per minute and each shall have an independent exhaust system with the fan installed at the discharge point of the system. Hoods used for processing infectious materials shall be equipped with a means of disinfection.
14. The ventilation system for anesthesia storage rooms shall conform to the requirements of NFPA Standard No. 56A as adopted by the State Fire Marshal's Office for ambulatory surgical center facilities.
15. Boiler rooms shall be provided with sufficient outdoor air to maintain combustion rates of equipment and reasonable temperatures in the rooms and in adjoining areas.

(5) Plumbing and other piping systems. All plumbing systems shall be installed in accordance with the requirements of the current Kentucky plumbing standards regulations for ambulatory surgical center facilities.

(a) Plumbing fixtures:

1. The material used for plumbing fixtures shall be of nonabsorptive acid-resistant material.
2. Lavatories and sinks required in patient care areas shall have the water supply spout mounted so that its discharge point is a minimum distance of five (5) inches above the rim of the fixture. All fixtures used by medical and nursing staff shall be trimmed with valves which can be operated without the use of hands. Where blade handles are used for this purpose they shall not exceed four and one-half (4 1/2) inches in length, except that handles on scrub sinks and clinical sinks shall be not less than six (6) inches long.
3. Hot, cold, and chilled water piping, and waste piping on which condensation may occur shall be insulated. Insulation of cold and chilled water lines shall include an exterior vapor barrier.
4. Backflow preventers shall be installed on hose bibbs and on all fixtures to which hoses or tubing can be attached such as laboratory and janitors' sinks.
5. Flush valves installed on plumbing fixtures shall be of a quiet operating type, equipped with silencers.
6. Hot water distribution systems shall be arranged to provide hot water at each fixture at all times.

(b) Hot water heaters and tanks:

1. The hot water heating equipment shall have a sufficient capacity to supply water at the temperature and amounts indicated below:

	Use
Gal/hr/bed	Clinical
Temp. F.	6 1/2
	125

2. Storage tank(s) shall be provided and shall be fabricated of non-corrosive metal or lined with non-corrosive material.
- (c) Drainage systems:
 1. Drain lines from sinks in which acid wastes may be poured shall be fabricated from an acid-resistant material.
 2. Piping over operating and other critical areas shall be kept to a minimum and shall not be exposed. Special precautions shall be taken to protect these areas from possible leakage of necessary overhead piping systems.
 3. Floor drains shall not be installed in operating rooms.
 4. Building sewers shall discharge into a community sewage system. Where such a system is not available, a facility providing sewage treatment which conforms to applicable local and state regulations is required.
- (d) Fire extinguishing systems. Automatic fire extinguishing systems shall be installed in trash rooms, bulk storage rooms, attic spaces and crawl spaces used for storage, and any other hazardous area. Storage rooms of less than 100 square feet are excluded from this requirement.
- (e) Nonflammable medical gas systems. Nonflammable medical gas system installations shall be in accordance with the requirements of NFPA Standard No. 56-F as adopted by the State Fire Marshal's Office for ambulatory surgical center facilities.

Section 21. Electrical Requirements. (1) General:

- (a) All material including equipment, conductors, controls, and signaling devices shall be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facilities shown in the specifications or indicated on the plans. All materials shall be listed as complying with applicable standards of Underwriters' Laboratories, Inc., or other similarly established standards.
- (b) The contractor shall be responsible for testing all electrical installations and systems and shall show that the equipment is correctly installed and operates as planned or specified. A written record of tests of conductive floors, ground contact, indicators, and radiation protection shall be supplied to the owner.
- (2) Special feeders and circuits. Fixed and mobile x-ray units shall be connected by means of independent feeders or circuits.
- (3) Switchboard and power panels. Circuit breakers or fusible switches that provide disconnecting means and overcurrent protection for conductors connected to switchboards and distribution panelboards shall be enclosed or guarded to provide a dead front type of assembly. The main switchboard shall be located in a separate enclosure accessible only to authorized persons. The switchboard shall be convenient for use, readily accessible for maintenance, clear of traffic lanes, and in a dry ventilated space devoid of corrosive fumes or gases. Overload protective devices shall be suitable for operating properly in the ambient temperature conditions.
- (4) Distribution panelboards. Lighting and appliance panelboards shall be provided for the circuits on each floor.

This requirement does not apply to emergency system circuits.

(5) Lighting:

- (a) All spaces occupied by people, machinery, and equipment within buildings, and the approaches thereto, and parking lots shall have electric lighting.
- (b) Operating rooms shall have general lighting for the room in addition to local lighting provided by special lighting units at the surgical tables. Each special lighting unit for local lighting at tables shall be connected to an independent circuit.

(6) Receptacles (convenience outlets): Anesthetizing locations: Each operating room shall have at least three (3) receptacles of the interchangeable type as defined in NFPA Standard No. 56A as adopted by the State Fire Marshal's Office for ambulatory surgical center facilities. In locations where mobile x-ray is used, an additional receptacle, distinctively marked for x-ray use, shall be fed by an independent ungrounded circuit.

(7) Equipment installation in special areas:

- (a) Installation in hazardous areas: In areas where flammable anesthetic agents are used, such as operating and anesthesia induction rooms, and rooms for storage of flammable gases, all electrical equipment and devices including receptacles, wiring and conductive flooring installations shall comply with NFPA Standard No. 56A as adopted by the State Fire Marshal's Office for ambulatory surgical center facilities.
- (b) X-ray and gamma-ray installations: X-ray stationary installations and mobile equipment and the capacities of conductors supplying x-ray units, controls, grounding, and the overcurrent protective devices shall conform to the current Kentucky Standards for radiographic and radioisotope equipment and use regulations applicable to ambulatory surgical center facilities.
- (c) X-ray film illuminator. Viewing panels shall be installed in each operating room and in the x-ray viewing room.

(8) Nurses' calling system. An emergency nurses' calling station shall be provided for nurses' use in each operating room and recovery room.

(9) Fire alarms and fire detector systems. The design and installation of these systems must be approved by the State Fire Marshal's Office.

(10) Emergency electric service:

- (a) General. To provide electricity during an interruption of the normal electric supply that could affect the medical care, treatment, or safety of the occupants, and emergency source of electricity shall be provided and connected to certain circuits for lighting and power.
- (b) Sources. The source of this emergency electric service shall be as follows:
 1. An emergency generating set, when the normal service is supplied by one or more central station transmission lines.
 2. An emergency generating set or a central station transmission line, when the normal electric supply is generated on the premises.
- (c) Emergency generating set. The required emergency generating set, including the prime mover and generator, shall be located on the premises and shall be reserved exclusively for supplying the emergency electrical system. Exception: A system of prime movers which are ordinarily used to operate the emergency generator(s) will be permitted provided that the number and arrangement of the prime movers is such that when one (1) of them is out of service (due to breakdown or for routine maintenance), the remaining prime mover(s) can operate the required emergency generator(s) and provided that the connection time requirements described in Section 21(1) (e) are met. The emergency generator set shall be of sufficient kilowatt capacity to supply all lighting and power load demands of the emergency system. The power factor rating of the generator shall be not less than eighty (80) percent.
- (d) Emergency electrical connections. Emergency electric service shall be provided to circuits as follows:
 1. Lighting.
 - a. Exitways and all necessary ways of approach thereto including exit signs and exit direction signs, exterior of exits, exit doorways, stairways, and corridors.
 - b. Surgical room operating lights.
 - c. Laboratory, recovery room, nursing station and medication preparation areas.
 - d. Generator set location, switch-gear location, and boiler room.
 2. Equipment essential to life safety and for protection of important equipment or vital materials:
 - a. Nurses' calling system;
 - b. Alarm system including fire alarm actuated at manual stations, water flow alarm devices of sprinkler system if electrically operated, fire detecting systems, paging or speaker systems if intended for issuing instructions during emergency conditions, and alarms required for nonflammable medical gas systems, if installed;
 - c. Fire pump, if installed;
 - d. Pump for central suction system;
 - e. Sewage or sump lift pump, if installed;

- f. Receptacles for blood bank refrigerator;
- g. Receptacles in operating and recovery rooms except those for x-ray;
- h. One (1) elevator, where elevators are used to transport patients to operating rooms;
- i. Equipment such as burners and pumps necessary for operation of one or more boilers and their necessary auxiliaries and controls, required for heating of operating rooms, recovery rooms and sterilization;
- j. Ventilation of operating and recovery rooms;
- k. Equipment necessary for maintaining telephone service;
1. One (1) electric sterilizer, if installed.
3. Heating. Where electricity is the only source of power normally used for space heating, the emergency service shall provide for heating of operating and recovery room.

(e) Details. The emergency electrical system shall be so controlled that after interruption of the normal electric power supply, the generator is brought to full voltage and frequency and connected within ten (10) seconds through one or more primary automatic transfer switches to all emergency lighting; all alarms; blood banks; nurses' call; equipment necessary for maintaining telephone service; pump for central suction system; and receptacles in operating and recovery rooms. All other lighting and equipment required to be connected to the emergency system shall either be connected through the above described primary automatic transfer switching or shall be subsequently connected through other automatic or manual transfer switching. Where fuel is normally stored on the site, the storage capacity shall be sufficient for twenty-four (24) hour operation. Where fuel is normally piped underground to the site from a utility distribution system, storage facilities on the site will not be required.

Section 22. Tables. Table 1 - Pressure Relationships and Ventilation of Certain Areas. Table 2 - Lighting Levels for Certain Areas.

Table 1. Pressure Relationships and Ventilation of Certain Areas

Area Designation	Pressure Relationship to Adjacent Areas	All Supply Air From Outdoors	Minimum Air Changes of Outdoor Air Per Hour
Operating Room	P	—	5
Recovery	O	—	2
Treatment Room	O	—	2
X-ray, Fluoroscopy Room	N	—	2
X-ray, Treatment Room	O	—	2
Soiled Workroom	N	—	2
Clean Workroom	P	—	2
Janitor's Closet	N	—	—
Sterilizer Equipment Room	N	—	—
Laboratory, General	N	—	2
Anesthesia Storage	O	—	—
Central Medical and Surgical Supply			
Soiled or Decontamination Room	N	—	2
Clean Workroom	P	—	2
Unsterile Supply Storage	O	—	2

P = Positive N = Negative O = Equal — = Optional

Area Designation	Minimum Total Air Changes Per Hour	All Air Exhausted Directly to Outdoors	Recirculated Within Room
Operating Room	12	—	No
Recovery	6	Yes	No
Treatment Room	6	—	No
X-ray, Fluoroscopy Room	6	Yes	No
X-ray, Treatment Room	6	—	—
Soiled Workroom	4	—	No
Clean Workroom	4	—	—
Janitor's Closet	10	Yes	No
Sterilizer Equipment Room	10	Yes	No
Laboratory, General	6	—	—
Anesthesia Storage	8	Yes	No
Central Medical and Surgical Supply			
Soiled or Decontamination Room	4	—	No
Clean Workroom	4	—	—
Unsterile Supply Storage	2	—	—

— = Optional

Table 2. Lighting Levels for Certain Areas

Area	Footcandles*
Administration and lobby areas, day	50
Corridors and interior ramps	20
Doorways	10
Examination and treatment room	
General	50
Examining table	100
Exit stairways and landings	5
Janitor's closet	15
Nurses' station, general	50
Nurses' desk, for charts and records	70
Nurses' medicine cabinet	100
Stairways other than exits	30
Utility room, general	20
Utility room, work counter	50

*Minimum on task at anytime

HOWARD BOST, Chairman

Certificate of Need and Licensure Board

ADOPTED: December 12, 1974

APPROVED: C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: April 8, 1975 at 4:38 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Howard Bost, Ph.D., Chairman, Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES

Bureau for Health Services

Certificate of Need and Licensure Board (902 KAR 20:115)

RELATES TO: KRS 216.405 to 216.485, 216.990 (2)

PURSUANT TO: KRS 216.425, 13.082

SUPERSEDES: BPHS 16-1

NECESSITY AND FUNCTION: This regulation, which relates to the operations and services of Emergency Care; Ambulance Services, is being promulgated pursuant to the mandate of KRS 216.425 (3) that the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board regulate health facilities and health services.

Section 1. Definition and Essential Characteristics: Emergency care ambulance service means health care and transportation provided by any individual or private or public organization having a vehicle or vehicles that are specially designed, constructed or that have been modified or equipped with the intent of using the same, or maintaining or operating the same for the health care and transportation of persons who are sick, injured, or otherwise incapacitated.

Section 2. Licensure: No person shall provide emergency care ambulance services without having first obtained a license from the board. Licenses issued by the board shall include designation thereon of "conforming" or "non-conforming" with the standards set forth in this regulation.

(1) Existing services: An "existing service" is defined as an emergency care ambulance service in operation prior to January 1, 1973 and continuously thereafter.

(a) Upon submission of a properly completed application to the board, accompanied by the prescribed fee, an existing service in full compliance with the standards herein may be issued a license designated as "conforming." Any existing service not in full compliance, upon submission of properly completed application accompanied by the prescribed fee, may be issued a license designated as "non-conforming." Those standards which are not met by the non-conforming service shall be identified and reported to the Regional Health Planning Council and responsible state and local officials. An existing licensed non-conforming service may be redesignated as a conforming service upon full compliance with the standards herein.

(b) Licenses issued to existing services designated as "non-conforming" shall not be subject to renewal when adequate services conforming to standards have been developed and are available to serve the community or area in which the non-conforming service is operating. Delineation of such community or area shall be consistent with regional emergency medical services plans developed and adopted by the regional and state comprehensive health planning councils.

(2) Newly developed services: A "newly developed service" is defined as an emergency care ambulance service beginning operation on or after January 1, 1973.

(a) Upon submission of a properly completed application to the board, accompanied by the prescribed fee, a newly developed service in full compliance with the standards herein may be eligible to receive a license designated as "conforming." A newly developed service not in full compliance with the standards herein may, upon submission of a properly completed application accompanied by the prescribed fee, be eligible to receive a license designated as

"non-conforming," provided that reasonable assurances including a plan setting dates for compliance with standards is submitted by the applicant and is accepted by the board. Newly developed services shall not be eligible for licensure when adequate services conforming to the standards herein exist in the area to be served. A newly developed service licensed as "non-conforming" may be redesignated as "conforming" upon full compliance with the standards herein.

(b) Licenses issued to newly developed services designated as "non-conforming" shall not be subject to renewal when adequate services conforming to standards have been developed and are available to serve the community or area in which the non-conforming service is operating. Delineation of such community or area shall be consistent with regional emergency medical services plans developed and adopted by the regional and state comprehensive health planning councils.

Section 3. Standards for the Operation of Ambulance Services: To be issued a license designated as "conforming," the ambulance service shall comply with the following standards: (1) Vehicle design and maintenance:

(a) On and after January 1, 1976 all vehicles used in the provision of ambulance services shall be designed to provide adequately for the care and transportation of patients and shall conform to the following patient compartment minimum dimensions: width seventy-one (71) inches (two litters twenty-three (23) inches wide plus twenty-five (25) inches of space between litters); length, 116 inches (twenty-five (25) inches at the head plus fifteen (15) inches at the foot of a seventy-six (76) inch litter); height, fifty-four (54) inches from floor to ceiling; provided however, that for some of the vehicles in use by the applicant reasonable variation in dimensions may be allowed where such vehicles are to be utilized only for designated limited purposes which are specified by the applicant and approved by the board. Effective January 1, 1980, all conforming vehicles utilized (except limited purpose units) shall comply fully with vehicle design criteria contained in GSA Federal Specifications KKK-A-1822, dated January 2, 1974.

(b) All vehicles shall be kept in optimum working order. The interior of the vehicle and equipment shall be cleaned after each use, unless precluded by emergency conditions.

(2) Personnel:

(a) Ambulance services shall provide emergency service on a twenty-four (24) hour basis. This provision may be met through an adequate call system.

(b) Each emergency ambulance service shall be staffed to provide at least one (1) driver and one (1) attendant for each run. The attendant shall remain with the patient at all times during transport.

(c) Each employee shall receive pre-employment and annual physical examinations which shall include at least a chest x-ray (or recommended tuberculin testing procedure).

(d) All attendants utilized in the provision of ambulance services shall be trained to at least minimal level. Until such time as EMT-A training becomes mandatory, the following are acceptable: Red Cross Advanced, Red Cross Standard First Aid and Personal Safety, either to be supplemented by ten (10) hours Cardio-Pulmonary Resuscitation; Red Cross Advanced First Aid and Emergency Care Certification with ten (10) hours supplemental CPR instruction, EMT-A Certification, and Medical Corpsman Training within the last five (5) years supersede the above listed programs. Certification must be current.

(e) Effective January 1, 1976, each attendant shall be certified as an EMT-A by the Department for Human Resources. All additional personnel utilized in the provision of EMS Transportation shall be trained to the minimal levels specified in paragraph (d) above. New personnel added after January 1, 1976, shall receive the minimal training within six (6) months from date of initial utilization.

(3) Equipment: All vehicles used in the provision of ambulance services shall have at least the following essential equipment or such equipment as is prescribed by the board, viz:

- Suction apparatus (fixed or portable);
- Hand operated bag-mask ventilation unit with adult, child, and infant size masks (capable of use with oxygen);
- Oropharyngeal airways in adult, child, and infant sizes;
- Oxygen equipment (fixed or portable):
 - Pressure gauge and flow rate regulator;
 - Adaptor and tubing;
 - Transparent masks in adult, child, and infant sizes; and
 - Filled spare cylinder.
- Mouth gags (commercial or made from tongue blades);
- Universal dressing approximately ten (10) inches by thirty-six (36) inches, compactly folded and packaged;
- Sterile gauze pads, four (4) inches by four (4) inches;

- (h) Soft roller self-adhering bandages, various sizes;
 - (i) Roll of aluminum foil, sterilized and wrapped;
 - (j) Adhesive tape, various size rolls;
 - (k) Two (2) sterile burn sheets;
 - (l) Hinged half-ring lower extremity traction splint, length forty-three (43) inches or substitute padded board splints four and one-half feet by three inches (4 1/2" x 3");
 - (m) Inflatable air splints for arm, leg and foot as minimum or a suitable substitute (i.e., padded boards, etc.);
 - (n) Short and long spine boards with accessories (orthopedic "scoop" stretcher preferred over long spine board);
 - (o) Triangular bandages;
 - (p) Large safety pins;
 - (q) Shears for bandages;
 - (r) Sterile obstetrical kit; and
 - (s) Sphygmomanometer and stethoscope.
- (t) Additionally, the following medical items are to be considered mandatory on-board equipment as of January 1, 1980:
- 1. Mouth-to-mouth artificial ventilation airways for adults and children;
 - 2. Sterile IV agents with administration kits to be used by qualified personnel;
 - 3. Two (2) or more padded board splints four and one-half (4 1/2) feet long by three (3) inches wide;
 - 4. Poison Kit.

Also effective January 1, 1980, all conforming vehicles shall carry the full contingent of access and extrication equipment for ambulance used as stipulated in the Highway Safety Program Manual No. 11, dated April 1974.

(4) Radio communications equipment: All ambulance services shall be equipped with two (2) way radio communications equipment compatible with the statewide ambulance-to-hospital emergency radio communications system. This requirement becomes effective upon implementation of the regional communications network for the region in which a particular ambulance service is located.

(5) Records: All ambulance services shall keep adequate records, and shall utilize forms which may subsequently be specified by the board. Records shall be maintained at the ambulance base headquarters, and shall be available for periodic review as deemed necessary by the board. Records shall include at least the following information:

- (a) Name of patient;
- (b) Date of run;
- (c) Time and odometer readings;
- (d) Vehicle license or unit number;
- (e) Name of driver and attendant;
- (f) Destination;
- (g) Nature of call (illness, injury, etc.);
- (h) Victim status (conscious, convulsing, hemorrhaging, etc.);
- (i) Cause of injury (motor vehicle accident, gunshot wound, etc.);
- (j) Case severity;
- (k) Vital signs (blood pressure, pulse, respiration);
- (l) Response to external stimuli (patient does not react to pin prick, pupils do not react to light, etc.);
- (m) Aid given to patient;
- (n) Employee records, including a resume of each employee's training and experience, shall be maintained; and
- (o) Health records of all drivers and attendants including evidence of pre-employment and annual physical examinations, chest x-ray (or recommended tuberculin testing procedure) and records of all illnesses or accidents occurring on duty.

HOWARD L. BOST, Chairman

ADOPTED: January 22, 1975

APPROVED: C. LESLIE DAWSON, Secretary
RECEIVED BY LRC: April 15, 1975 at 4:01 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Howard Bost, Ph.D., Chairman, Certificate of Need and Licensure Board, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 105:010)

RELATES TO: KRS 211.870, 211.890, 211.993

PURSUANT TO: KRS 13.082, 194.050, 211.090 (1) (c)

NECESSITY AND FUNCTION: The Department for Human Resources is empowered by KRS 211.870, 211.890 and 211.993 to regulate operators of sources of radiation other than licensed practitioners of the healing arts, including but not limited to: the classification and certification of operators; examinations; standards of training and experience; curricula standards for institutions teaching persons to operate sources of radiation; issuance, renewal, and revocation of certificates; the fixing of a reasonable schedule of fees and charges to be paid by applicants for examinations, certificates, and renewal certificates; and to set such other standards as may be appropriate for the protection of health and safety. The purpose of this regulation is to define terms that are applicable to all regulations adopted by the department relating to operators of sources of radiation.

Section 1. Definitions. As used in the department's regulations relating to the certification of operators of sources of radiation, the following terms shall have the meanings set forth below unless clearly indicated otherwise.

(1) "Certified" means the holding of a valid certificate as defined in these regulations.

(2) "Contrast study" means a study performed whereby contrast media is introduced into the human body to define a part(s) which is not normally visualized on a radiograph.

(3) "Department" means the Department for Human Resources.

(4) "General certificate" means a written authorization issued by the department authorizing an individual to perform all diagnostic radiographic procedures.

(5) "Individual" means any human being.

(6) "Licensed Practitioner" or "Licensed Practitioner of the Healing Arts" means an individual licensed to practice medicine, osteopathy, dentistry, chiropractic, podiatry or veterinary medicine in this state.

(7) "Limited certificate" means a written authorization issued by the department authorizing an individual to perform radiographic procedures, other than those involving contrast media, in his specific field of practice or operation.

(8) "National organization" means a professional association, approved by the department, that examines, registers, certifies or approves individuals and educational programs relating to operators of sources of radiation.

(9) "Operator" or "operator of sources of radiation" means any individual, other than a licensed practitioner of the healing arts, who uses or operates a source(s) of radiation.

(10) "Provisional certificate" means a written authorization issued by the department temporarily allowing an individual to perform radiographic procedures, under the direct supervision of a licensed practitioner of the healing arts, where a certified operator is not available.

(11) "Radiation safety officer" means an individual in the field of radiation protection or a licensed practitioner of the healing arts who has the knowledge and responsibility to apply appropriate radiation practices.

(12) "Radiography" means the use of radiation producing equipment on human beings for diagnostic radiographic purposes under the supervision of a licensed practitioner of the healing arts or a certified operator.

(13) "Sources of radiation" means any device or equipment emitting or capable of producing ionizing radiation, when the associated high voltage is applied, for the purpose of performing human diagnostic radiographic examinations.

(14) "Sponsoring institution" means a hospital, educational or other facility or a division thereof offering or intending to offer a course of study for operators of sources of radiation.

(15) "Student" means an individual enrolled in a course of study for operators of sources of radiation.

(16) "Supervision" means supervised by a licensed practitioner of the healing arts or certified operator who is at all times available in the individual's place of employment or sponsoring institution.

(17) "Technical director" means an individual designated by a sponsoring institution to assure that the training program for operators of sources of radiation is properly carried out.

(18) "Temporary certificate" means a written authorization issued by the department authorizing an individual, who has completed an appropriate course of study, to perform radiographic procedures while awaiting examination.

Section 2. Compliance with this Regulation. Full compliance with this radiation operators certification regulation must be by January 1, 1976.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 4:03 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 105:020)

RELATES TO: KRS 211.870, 211.890, 211.993

PURSUANT TO: KRS 13.082, 194.050, 211.090 (1) (c)

NECESSITY AND FUNCTION: The Department for Human Resources is empowered by KRS 211.870, 211.890 and 211.993 to regulate operators of sources of radiation other than licensed practitioners of the healing arts, including but not limited to: the classification and certification of operators; examinations; standards of training and experience; curricula standards for institutions teaching persons to operate sources of radiation; issuance, renewal, and revocation of certificates; the fixing of a reasonable schedule of fees and charges to be paid by applicants for examinations, certificates, and renewal certificates; and to set such other standards as may be appropriate for the protection of health and safety. The purpose of this regulation is to establish uniform general requirements for the certification of operators of sources of radiation.

Section 1. General Applicability. The Department for Human Resources' regulations relating to radiation operators require the certification of all operators of sources of radiation, other than licensed practitioners of the healing arts, for

which a specific regulation has been adopted requiring certification within a particular field of practice or operation. The regulation of sources of ionizing or electronic product radiation and the handling and disposal of radioactive waste are not covered by these regulations. Nothing contained in these regulations shall be deemed to require the certification of students enrolled in an approved course of instruction in relation to the healing arts or allied health sciences and employees of the Federal Government while engaged in the performance, within this state, of their official duties.

Section 2. Application for Certification. (1) All applications for certification as an operator of sources of radiation shall be filed with the Department for Human Resources, Radiation Operators Certification Section, 275 East Main Street, Frankfort, Kentucky, 40601. All applications shall be submitted on forms provided by the Department.

(2) All applicants for certification shall, as a condition precedent to certification, be in compliance with the applicable regulations of the Department relating to their particular field of practice or operation.

(3) General and Limited Certificates shall expire on the last day of the month, two (2) years after the date of issuance.

(4) Temporary and provisional certificates shall expire on the last day of the month, one (1) year after the date of issuance and are not renewable.

Section 3. Examinations. (1) A general or limited certificate shall be issued upon successful passage of an appropriate examination, approved by the department, in the field of practice or operation for which certification is sought. All examinations shall be divided into appropriate sections and a minimum grade of seventy-five (75) percent is required for the passage of each respective section. An individual who fails a particular section shall be required to retake that section; provided, however, individuals who fail two (2) or more sections shall be required to retake the entire examination.

(2) The department may accept, in lieu of an examination conducted by the department, a valid certificate from a national organization acceptable to the department, provided that the holder is otherwise qualified for certification and has earned his certificate by passing an appropriate examination.

(3) The department may accept, in lieu of an examination conducted by the department, a valid certificate from another state or political subdivision acceptable to the department, provided that the holder is otherwise qualified for certification and has earned his certificate by passing an appropriate examination.

(4) Acceptance of an examination from a national organization shall be contingent upon the annual submission of a current examination together with an outline by subject and an item analysis of each examination section relative to individuals graduating from teaching institutions within this state. Graduation from an examination from a state or political subdivision shall be contingent upon the submission, by request, of a current examination together with an outline by subject and an item analysis of each examination section. The department shall hold such examination information confidential and only make its contents available to authorized representatives of the department.

(5) The department may accept, in lieu of the examination requirements for a general certificate, an individual's current certificate from a national organization acceptable to the department that was issued prior to the effective date of these regulations.

Section 4. Fee Schedule. The following fees shall be paid in connection with the certification of operators of sources of radiation other than licensed practitioners of the healing arts:

- (1) Application for Certification (non-refundable).....\$15
- (2) Issuance of a General or Limited Certificate.....20
- (3) Issuance of a Temporary or Provisional Certificate...10
- (4) Renewal of a General or Limited Certificate.....20
- (5) Duplicate Certificate.....5

Section 5. Continuing Education Requirements for Renewal. (1) The continuing education requirements of this section shall be a condition precedent to the renewal of a general or limited certificate.

(2) A certificate holder shall, during each twenty-four (24) month period that he holds his certificate, obtain a minimum of twelve (12) clock hours of continuing education approved by the department. Clock hours may be accrued by attending seminars, lectures, or courses relating to the individual's field of practice or operation.

(3) Certificate holders attending or participating in continuing education related to their field of practice or operation shall send documented evidence of attendance or participation to the department. Such evidence shall include the certificate holder's name, subject title, date(s) attended, clock hours of instruction and the instructor's name and title.

(4) Operators or sources of radiation may receive up to six (6) clock hours credit, on an hour-for-hour basis, toward certificate renewal for continuing education lectures if they are the instructor.

Section 6. General Requirements. (1) It shall be the responsibility of each employer to insure that all of his employees operating sources of radiation are certified as set forth in these regulations.

(2) The department may, by order, impose upon any operator

of sources of radiation or institutions teaching individuals to operate or use sources of radiation such requirements, in addition to those established in these regulations, as it deems appropriate or necessary to minimize danger to public health or safety.

(3) Only individuals holding a general certificate shall be employed as an operator of sources of radiation at facilities where contrast studies are performed.

(4) It shall be the responsibility of a certified operator to notify the department within sixty (60) days regarding any change of name or address.

(5) An individual certified as an operator of sources of radiation shall prominently display his certificate at his primary place of employment.

Section 7. Compliance with this Regulation. Full compliance with this radiation operators certification regulation must be by January 1, 1976.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 4:03 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 105:030)

RELATES TO: KRS 211.870, 211.890, 211.993

PURSUANT TO: KRS 13.082, 194.050, 211.090 (1) (c)

NECESSITY AND FUNCTION: The Department for Human Resources is empowered by KRS 211.870, 211.890 and 211.993 to regulate operators of sources of radiation other than licensed practitioners of the healing arts, including but not limited to: the classification and certification of operators; examinations; standards of training and experience; curricula standards for institutions teaching persons to operate sources of radiation; issuance, renewal, and revocation of certificates; the fixing of a reasonable schedule of fees and charges to be paid by applicants for examinations, certificates, and renewal certificates; and to set such other standards as may be appropriate for the protection of health and safety. The purpose of this regulation is to establish uniform curricula standards for institutions teaching persons to operate sources of radiation.

Section 1. Applicability. This regulation applies to curricula standards for institutions teaching persons to operate sources of radiation.

Section 2. Curricula Standards. All sponsoring institutions offering a course of study for operators of sources of radiation shall: (1) Apply for approval on a form provided by the Department;

(2) Supply all data requested for a complete evaluation of its administration, organization, faculty, physical facilities, student policies, and curriculum instruction;

(3) Have as the director of the course of study a licensed practitioner of the healing arts;

(4) Provide an adequate faculty;

(5) Provide at least one (1) certified operator with at least three (3) years of education and experience in the appropriate field of practice who shall be designated as the technical director of the training program.

(6) Provide a ratio of not more than three (3) students to one (1) fulltime certified operator engaged in clinical instruction;

(7) Provide a course of study in radiography at facilities approved by the department;

(8) Provide appropriate facilities, sufficient volume, and a variety of diagnostic radiographic examinations to properly conduct the course of study;

(9) Prohibit students from applying radiation to human beings for diagnostic purposes until they have obtained practical experience using phantoms and have had their performance evaluated as satisfactory by the technical director;

(10) Provide direct personal supervision by a licensed practitioner of the healing arts or a certified operator to students upon their initial application of radiation to human beings;

(11) Prohibit students from being assigned night or week-end call or be placed in any other situation where they would be required to apply radiation to a human being while not under the supervision of a radiologist or a certified operator;

(12) Prohibit all exposures to human beings from a source of radiation except for diagnostic purposes;

(13) Keep records of each student's attendance, grades, examinations, and subjects completed;

(14) Designate a radiation safety officer; and

(15) Permit site inspections by representatives of the department.

Section 3. Compliance with this Regulation. Full compliance with this radiation operators certification regulation must be by January 1, 1976.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975
RECEIVED BY LRC: April 15, 1975 at 4:05 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 105:040)

RELATES TO: KRS 211.870, 211.890, 211.993

PURSUANT TO: KRS 13.082, 194.050, 211.090 (1) (c)

NECESSITY AND FUNCTION: The Department for Human Resources is empowered by KRS 211.870, 211.890 and 211.993 to regulate operators of sources of radiation other than licensed practitioners of the healing arts, including but not limited to: the classification and certification of operators; examinations; standards of training and experience; curricula standards for institutions teaching persons to operate sources of radiation; issuance, renewal, and revocation of certificates; the fixing of a reasonable schedule of fees and charges to be paid by applicants for examinations, certificates, and renewal certificates; and to set such other standards as may be appropriate for the protection of health and safety. The purpose of this regulation is to establish uniform standards for the certification of individuals who operate sources of radiation for human diagnostic radiographic purposes while under the supervision of a medical or osteopathic physician.

Section 1. Applicability. This regulation applies to individuals who operate sources of radiation for human diagnostic radiographic purposes while under the supervision of a medical or osteopathic physician.

Section 2. General Certification Required to Perform Contrast Studies. Only individuals holding a general certificate shall operate sources of radiation at facilities where contrast studies are performed.

Section 3. Eligibility for a General Certificate. No person shall be eligible for a general certificate as an operator of a source of radiation for human diagnostic radiographic purposes under the supervision of a medical or osteopathic physician unless he has:

(1) Satisfactorily completed a four (4) year course of study in a secondary school or passed a standard equivalency test; and

(2) Satisfactorily completed a twenty-four (24) months' course of study in medical or osteopathic radiography approved by the department. The course shall include a minimum of 410 hours of classroom work including the following subjects: x-ray physics, radiographic techniques, darkroom chemistry and techniques, anatomy and physiology, radiation protection, film critique and ethics; and shall include an adequate number of hours but not less than 2,200 hours to be devoted to clinical experience consisting of demonstrations, discussions, seminars and supervised practice; and

(3) Satisfactorily passed an examination conducted or approved by the department.

Section 4. Eligibility for a Limited Certificate. No person shall be eligible for a limited certificate as an operator of a source of radiation for human diagnostic radiographic purposes under the supervision of a medical or osteopathic physician unless he has:

(1) Satisfactorily completed a four (4) year course of study in a secondary school or passed a standard equivalency test; and

(2) Satisfactorily completed a limited course of study in medical or osteopathic radiography approved by the department. The course of study shall include not less than 180 hours of classroom work including the following subjects: x-ray physics, radiographic techniques, darkroom chemistry and techniques, anatomy and physiology, radiation protection, film critique and ethics; and shall include an adequate number of hours but not less than 300 to be devoted to clinical experience consisting of demonstrations, discussions, seminars and supervised practice; and

(3) Satisfactorily passed an examination conducted or approved by the department.

Section 5. Grandfather Clause. Persons actively engaged in the operation of sources of radiation before January 1, 1976, shall, upon proper application to the department and upon payment of the required application and certification fees, be issued an appropriate certificate without examination.

Section 6. Temporary Certificate. The department may, upon proper application and upon payment of the appropriate application and certificate fee, issue a temporary certificate to an applicant who has successfully completed an approved course of instruction in medical or osteopathic radiography and who meets all the other requirements of these regulations other than having taken the required examination.

Section 7. Provisional Certificate. The department may, under emergency conditions only, issue a provisional certificate to an applicant who works under the direct supervision of a medical or osteopathic physician provided:

(1) No certified operator is available;

(2) The physician accepts full responsibility for such applicant;

(3) The applicant has successfully completed a four (4) year course of study in a secondary school or passed a standard equivalency test.

(4) The applicant and the physician file a joint statement detailing the training and experience of the applicant, if any, and giving an assurance that such training and experience will be forthcoming under the supervision of the physician or other qualified person.

Section 8. Compliance with this Regulation. Full compliance with this radiation operators certification regulation must be by January 1, 1976.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 4:03 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 105:050)

RELATES TO: KRS 211.870, 211.890, 211.993

PURSUANT TO: KRS 13.082, 194.050, 211.090 (1) (c)

NECESSITY AND FUNCTION: The Department for Human Resources is empowered by KRS 211.870, 211.890 and 211.993 to regulate operators of sources of radiation other than licensed practitioners of the healing arts, including but not limited to: the classification and certification of operators; examinations; standards of training and experience; curricula standards for institutions teaching persons to operate sources of radiation; issuance, renewal, and revocation of certificates; the fixing of a reasonable schedule of fees and charges to be paid by applicants for examinations, certificates, and renewal certificates; and to set such other standards as may be appropriate for the protection of health and safety. The purpose of this regulation is to establish uniform standards for the certification of individuals who operate sources of radiation for human diagnostic radiographic purposes while under the supervision of a chiropractor.

Section 1. Applicability. This regulation applies to individuals who operate sources of radiation for human diagnostic radiographic purposes while under the supervision of a chiropractor.

Section 2. Eligibility for a Limited Certificate. No person shall be eligible for a limited certificate as an operator of a source of radiation for human diagnostic radiographic purposes under the supervision of a chiropractor unless he has:

(1) Satisfactorily completed a four (4) year course of study in a secondary school or passed a standard equivalency test; and

(2) Satisfactorily completed a limited course of study in chiropractic radiography approved by the department. The course of study shall include not less than 180 hours of classroom work including the following subjects: x-ray physics, radiographic techniques, darkroom chemistry and techniques, anatomy and physiology, radiation protection, film critique and ethics; and shall include an adequate number of hours but not less than 300 to be devoted to clinical experience consisting of demonstrations, discussions, seminars and supervised practice; and

(3) Satisfactorily passed an examination conducted or approved by the department.

Section 3. Grandfather Clause. Persons actively engaged in the operation of sources of radiation before January 1, 1976, shall, upon proper application to the department and upon payment of the required application and certification fees, be issued an appropriate certificate without examination.

Section 4. Temporary Certificate. The department may, upon proper application and upon payment of the appropriate application and certificate fee, issue a temporary certificate to an applicant who has successfully completed an approved course of instruction in chiropractic radiography and who meets all the other requirements of these regulations other than having taken the required examination.

Section 5. Compliance with this Regulation. Full compliance with this radiation operators certification regulation must be by January 1, 1976.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 4:04 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(902 KAR 105:060)

RELATES TO: KRS 211.870, 211.890, 211.993

PURSUANT TO: KRS 13.082, 194.050, 211.090(1)(c)

NECESSITY AND FUNCTION: The Department for Human Resources is empowered by KRS 211.870, 211.890 and 211.993 to regulate operators of sources of radiation other than licensed practitioners of the healing arts, including but not limited to: the classification and certification of operators; examinations; standards of training and experience; curricula standards for institutions teaching persons to operate sources of radiation; issuance, renewal, and revocation of certificates; the fixing of a reasonable schedule of fees and charges to be paid by applicants for examinations, certificates, and renewal certificates; and to set such other standards as may be appropriate for the protection of health and safety. The purpose of this regulation is to establish uniform standards for the certification of individuals who operate sources of radiation for human diagnostic radiographic purposes while under the supervision of a podiatrist.

Section 1. Applicability. This regulation applies to individuals who operate sources of radiation for human diagnostic radiographic purposes while under the supervision of a podiatrist.

Section 2. Eligibility for a Limited Certificate. No person shall be eligible for a limited certificate as an operator of a source of radiation for human diagnostic radiographic purposes under the supervision of a podiatrist unless he has:

(1) Satisfactorily completed a four (4) year course of study in a secondary school or passed a standard equivalency test; and

(2) Satisfactorily completed a limited course of study in podiatric radiography approved by the department. The course of study shall include not less than sixty-five (65) hours of classroom work including the following subjects: x-ray physics, radiographic techniques, darkroom chemistry and techniques, anatomy and physiology, radiation protection, film critique and ethics; and shall include an adequate number of hours but not less than ten (10) to be devoted to clinical experience consisting of demonstrations, discussions, seminars and supervised practice; and

(3) Satisfactorily passed an examination conducted or approved by the department.

Section 3. Grandfather Clause. Persons actively engaged in the operation of sources of radiation before January 1, 1976, shall, upon proper application to the department and upon payment of the required application and certification fees, be issued an appropriate certificate without examination.

Section 4. Temporary Certificate. The department may, upon proper application and upon payment of the appropriate application and certificate fee, issue a temporary certificate to an applicant who has successfully completed an approved course of instruction in podiatric radiography and who meets all the other requirements of these regulations other than having taken the required examination.

Section 5. Compliance with this Regulation. Full compliance with this radiation operators certification regulation must be by January 1, 1976.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 4:05 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT OF HUMAN RESOURCES
Bureau for Health Services
(902 KAR 105:070)

RELATES TO: KRS 211.870, 211.890, 211.993

PURSUANT TO: KRS 13.082, 194.050, 211.090(1)(c)

NECESSITY AND FUNCTION: The Department for Human Resources is empowered by KRS 211.870, 211.890 and 211.993 to regulate operators of sources of radiation other than licensed practitioners of the healing arts, including but not limited to: the classification and certification of operators; examinations; standards of training and experience; curricula standards for institutions teaching persons to operate sources of radiation; issuance renewal and revocation of certificates; the fixing of a reasonable schedule of fees and charges to be paid by applicants for examinations, certificates, and renewal certificates; and to set such other standards as may be appropriate for the protection of health and safety. The purpose of this regulation is to establish uniform enforcement procedures applicable to the department's regulations relating to the certification of operators of sources of radiation.

Section 1. Applicability. This regulation relates to the enforcement procedures of the department pertaining to the certification of operators of sources of radiation.

Section 2. Denial, Revocation, and Suspension of Certificates. The department may deny, revoke, or suspend the certificate of any person who:

(1) Has engaged in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

(2) Becomes a drug dependent person or drug abuser as defined in KRS 222.011(8).

(3) Becomes an alcoholic person who suffers from alcoholism as defined in KRS 222.011(3).

(4) Develops such physical or mental disability or other condition that continued practice or performance of his duties may be dangerous to patients or the public; and

(5) Fails to comply with any regulation of the department relating to the certification of operators of sources of radiation.

Section 3. Hearings. The department shall furnish the certificate holder with written notice setting out the substance of each offense charged with sufficient detail to reasonably apprise such person of the nature, time and place thereof. The certificate holder shall have the right to be present in person or be represented by counsel and to present evidence and to be heard in opposition to the charges which may be instituted. The department shall make a finding of fact and conclusion of law. The hearing may be conducted by a Hearing Officer appointed by the Secretary of the Department for Human Resources.

Section 4. Compliance with this Regulation. Full compliance with this radiation operators certification regulation must be by January 1, 1976.

WILLIAM P. McELWAIN, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 4:05 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Manpower Services
(903 KAR 1:010)

RELATES TO: KRS Chapter 340

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: The Department for Human Resources is empowered by KRS Chapter 340 to regulate employment agencies in Kentucky. The purpose of this regulation is to establish uniform standards and requirements for employment agencies in order to protect the welfare, personal dignity, integrity and sufficiency of the individual citizens of the Commonwealth.

Section 1. Applicability. The provisions of this regulation apply to all "employment agencies," as defined by KRS 340.010(3), that operate in Kentucky.

Section 2. Application for Permit. Applications for a permit to operate an employment agency shall be submitted to the Department for Human Resources, Bureau for Administration and Operations, Division for Licensing and Regulation. Applications shall be submitted upon forms provided by the department and shall be accompanied by the agency's fee schedule together with the twenty-five dollar (\$25) permit fee.

Section 3. Fee Schedules. (1) Every person conducting an employment agency shall file with the department a schedule of fees to be charged and collected in the conduct of its business. In the schedule, the salary ranges by which the fee is to be computed or determined shall be clearly shown and the maximum fee shall be indicated and shall include charges of every kind rendered by the agency in each case or transaction on behalf of the prospective employer or employee. Changes in the schedule may be made, but no change shall become effective until seven (7) days after the date of filing thereof with the department and until posted for not less than seven (7) days in a conspicuous place in the agency.

(2) A copy of the schedule in effect with changes noted thereon shall be kept posted in the employment agency in a conspicuous place, and the posted schedule and changes therein shall be in lettering or printed of not less than standard pica capitals. The effective date of the original schedule and of each change thereto shall appear on the posted copies. No fee charged or collected shall be in excess of the fee as scheduled.

Section 4. Prohibited Acts. No employment agency or employee thereof shall: (1) Act in concert with any employer or his agent or employee to secure the discharge of an employee or give or receive any gratuity, divide, or offer to divide, or share directly or indirectly, any compensation received from an applicant for employment;

(2) Charge a fee for the registering of a job applicant for employment;

(3) Accept an advance or deposit from an applicant prior to the applicant's acceptance of a position of employment.

(4) Publish or cause to be published any false, fraudulent, or misleading information, representation, notice or advertisements;

(5) Make or cause to be made or use any name, sign, or

advertising device bearing a name which may be similar to, or reasonably confused with the name of a governmental agency; or

(6) Place an advertisement for any position of employment without such position actually being in existence at the time of placing the advertisement. Each advertisement shall disclose the name of the agency or use other identification approved by the department.

Section 5. Fee Limitation Under Certain Circumstances. (1) If a job applicant accepts employment and thereafter such employment is terminated without fault of the employee within a minimum of thirty (30) calendar days of the starting date of employment, the gross fee charged to such employee shall not exceed twenty (20) percent of the gross earnings of such employee for the period employed. Any excess collected above the fee shall be returned immediately upon demand, after the employment agency has been notified that such employment has been terminated and the employment agency has had a reasonable opportunity to ascertain the reasons therefor.

(2) No fee shall be charged by an employment agency which itself, (or through an affiliate) employs a job applicant who has filed an application seeking the services of such agency.

Section 6. Records. Employment agencies shall keep a record of jobs advertised correlated to show date and publication in which the ad appeared for a period of one (1) year. Each agency shall file for review by the department its system for maintaining such records. Copies of all job orders and agency agreements shall be retained by the agency for not less than three (3) years.

NORMAN WILLARD, JR., Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: April 15, 1975

RECEIVED BY LRC: April 15, 1975 at 4:07 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

KAR Codification

(Following is an outline of the codification system which has been developed for the KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE. The entries for regulations received to date are listed below. Other Cabinets, Departments and agencies of state government will be assigned Titles and Chapters as their regulations are received.)

TITLE 1 LEGISLATIVE RESEARCH COMMISSION

- Ch. 1 Administrative Regulations
010 Form of administrative regulations; Administrative Register; Codification

TITLE 2 GENERAL ASSEMBLY

- Ch. 1 Board of Ethics
010 Practice and procedure

TITLE 10 GOVERNOR

TITLE 11 KENTUCKY HIGHER EDUCATION ASSISTANCE AUTHORITY

- Ch. 1 State Student Incentive Grants
010 Criteria for selection; amounts
010B (same as above, filed on Emergency basis)

TITLE 12 AGRICULTURAL EXPERIMENT STATION

- Ch. 1 Seed
005 Definitions
010 Sampling, analyzing and testing; tolerances
015 Testing and labeling terms
020 Noxious-weed seed
025 Maximum weed seed content permitted
030 Minimum germination
035 Germination test date
040 Hermetically sealed containers
045 Hard and dormant seed
050 Current germination test; relabeling
055 Identification of seed not for sale
060 Labeling of seed distributed to wholesalers
065 Lawn, turf mixtures; labeling
070 Treated seed label
075 Types of labeling; tag label form
080 Use of own tags; permit, report
085 Illegal labeling and sales
090 Stop sale orders
095 Improved seed
100 Records
105 Schedule of charges

Ch. 2 Commercial Feeds

- 006 Definitions
011 Label format
016 Brand and product names

- 021 Guarantees
026 Ingredients
031 Directions; precautionary statements
036 Non-protein nitrogen
041 Additives
046 Poisonous or deleterious substances
051 Manufacturing conditions
056 List of manufacturers
061 Registration

Ch. 3 Pet Food

- 007 Definitions and terms
012 Uniform labeling format
017 Brand and product names
022 Guarantees
027 Ingredients
032 Directions for use
037 Additives

TITLE 30 DEPARTMENT OF STATE

Ch. 1 Corporations

- 010 Certificates of good standing
020 Statements, reports and documents; filing requirements

TITLE 31 STATE BOARD OF ELECTIONS

Ch. 1 Absentee Voting

- 010 When charged with or indicted for a crime

TITLE 40 DEPARTMENT OF LAW

Ch. 1 Attorney General

- 010 Conditions for furnishing opinions
020 Requests for opinions

TITLE 100 SECRETARY OF CABINET

TITLE 101 DEPARTMENT OF PERSONNEL

Ch. 1 Personnel Rules

- 010 Definitions
020 General provisions
030 Personnel Board procedures
040 Classification plan
050 Compensation plan
060 Applications and examinations
070 Registers
080 Certification and selection of eligibles
090 Types of appointments
100 Probationary period
110 Promotion, transfer, demotion and detail to special duty
120 Separations and disciplinary actions
130 Appeals
140 Service regulations
200 Unclassified service rules

TITLE 102 TEACHERS' RETIREMENT SYSTEM

Ch. 1 General Rules

- 010 Rules and regulations
020 Supplemental payments
030 Substitute Teachers
035 Substitute teaching by retired teachers
036 Part-time service
037 Administrative staff membership
038 Fractional service year
039 New entrants
040 Reciprocal arrangements
045 Transfer to other systems
050 Out-of-State service interest rates
055 Military service credit
060 Refunds
070 Applications for retirement
100 Insurance
110 Leave of absence
115 Tax-sheltered contributions
120 Voluntary contributions
125 Omitted contributions
130 Additional contributions
135 Interest credited to accounts
140 Disability
145 Basis for options
150 Optional benefits
155 Annuity payments
160 Annuity tables
165 Surviving children's benefits
175 Investment policies
180 KIDFA investments
185 Reciprocal program between CERS, KERS, SPRS and TRS

Ch. 2 Board of Trustees

- 010 Election of chairman; vice-chairman

TITLE 103 DEPARTMENT OF REVENUE

Ch. 1 General Administration

- 010 Protests and appeals

Ch. 5 Ad Valorem Tax; Administration

- 010 Bank deposits
020 Delinquent tax collector's contract

- 050 Bond of property valuation administrators
- 070 Fiduciary's report on personal property held
- 080 Savings and loan; production credit; banks for cooperatives
- 090 Marginal accounts reports
- 110 Valuation of bank shares
- 120 Sheriff's cash book
- Ch. 7 Ad Valorem Tax; Local Assessment
 - 010 Opening of safe deposit boxes
 - 030 City adoption of county assessment
 - 040 Intangible property right; annuities
 - 050 Trusts as intangible property
- Ch. 8 Ad Valorem Tax; State Assessment
 - 010 Nonresident watercraft allocation
 - 020 Property tax; time extension
 - 030 Preparation of tax bills
 - 040 Abandoned property; escheating
 - 050 Escheated property; records
 - 060 Unclaimed pari-mutuel tickets; records; redemption
 - 070 Posting and advertising abandoned property lists
 - 090 Classification of property; public service corporations
- Ch. 15 Income Tax - General Administration
 - 030 Sale of government bonds; gain or loss
 - 040 Statute of limitations; assessments and refunds
 - 050 Filing dates and extensions
 - 060 Estimated tax; amended declarations; short years
- Ch. 16 Income tax - Corporations
 - 010 Taxable income - coal royalty
 - 030 Net operating loss deductions of corporations
 - 040 Dissolution or withdrawal of corporation
 - 050 Application of 103 KAR 16:060 through 103 KAR 16:090
 - 060 Income classification - Business and nonbusiness
 - 070 Apportionment - Sales factor
 - 080 Apportionment - Property factor
 - 090 Apportionment - Payroll factor
 - 100 Apportionment and allocation - Telephone and telegraph companies
 - 110 Apportionment and allocation - Pipeline companies
 - 120 Apportionment and allocation - Trucklines - Bus - Airlines
 - 130 Apportionment and allocation - Railroad companies
 - 150 Apportionment and allocation - Loan companies
 - 140 Subchapter S and DISC treatment
 - 160 Apportionment and allocation - Construction companies
- Ch. 17 Income tax - Individual
 - 010 Residence
 - 020 Combined individual returns
 - 030 Filing requirements
 - 040 Military personnel - Filing extension
 - 050 Standard deduction
 - 060 Income subject to taxation; portions
 - 070 Personal tax credits
 - 080 Retirement income
 - 090 Federal income tax deductions and refunds
- Ch. 18 Income tax - Withholding
 - 010 Employers required to withhold
 - 020 Withholding return adjustment
 - 030 Monthly reporting requirements
 - 040 Annual payment of income tax withholding
 - 050 Withholding statements; Form K-2
 - 060 Miscellaneous payroll period
 - 070 Supplemental wages
 - 080 Two or more employers
 - 090 Payroll records
 - 100 Exemption certificates
 - 110 Withholding methods
 - 120 Security for compliance; bonds
- Ch. 19 Income Tax - Miscellaneous
 - 010 Computation of income; estates and trusts
 - 030 Income tax information returns
- Ch. 25 Sales and Use Tax - Registration and Collection
 - 010 Permits
 - 020 Application for retail sales and use tax permit
 - 030 Leased departments
 - 040 Out-of-state retailers
 - 050 Factors and agents
 - 060 Temporary and transient vendors
 - 070 Railroad companies; display of retailers' permit
 - 080 Sales tax; price bracket system
 - 090 Use tax; price bracket system
 - 100 Receipts for tax paid to retailers - Use tax
 - 110 Use tax on construction machinery
- Ch. 26 Sales and Use Tax - Service and Professional Occupations
 - 010 Service enterprises in general
 - 020 Physicians and surgeons
 - 030 Optometrists, Oculists and Opticians
 - 040 Morticians, undertakers and funeral directors
 - 050 Common carriers
 - 060 Painters and finishers
 - 070 Construction contractors
 - 080 Dentists and dental laboratories
 - 090 Veterinarians
 - 100 Towel and linen service
- Ch. 27 Sales and Use Tax - Miscellaneous Retailer Occupations
 - 010 Auctioneers
 - 020 Blueprints and photostat copies
 - 030 Brokers, lienors and fiduciaries
 - 040 Finance companies
 - 050 Florists and nurserymen
 - 080 Meals served by railroads, airplanes, etc.
 - 090 Memorial dealers
 - 100 Motor vehicles, motor homes and trailers
 - 120 Photographers, photo finishers and x-ray labs
 - 130 Printing and related industries
 - 140 Publishers of newspapers, magazines and periodicals
 - 150 Repairers and reconditioners of personal property
 - 170 Sales by civic clubs and similar organizations
 - 180 Vending machines
- Ch. 28 Sales and Use Tax - Miscellaneous Retail Transactions
 - 010 Admissions
 - 020 Layaway sales
 - 030 Producing, fabricating and processing
 - 040 Redemption of premium or trading stamps
 - 050 Rentals and leases
 - 060 Replacement parts
 - 070 Sales of ice
 - 080 Horse industry
 - 090 Tangible personal property; security instrument enforcement
 - 100 Sales to employees
 - 110 Signs, showcards and placards
 - 120 Telephonic, telegraphic communications; services
 - 130 Tire retreading and recapping
- Ch. 30 Sales and Use Tax - General Exemptions
 - 010 Food for human consumption
 - 020 Prescription medicines, prosthetic devices and physical aids
 - 030 Gasoline and special fuels
 - 040 Federal taxes
 - 050 Finance and carrying charges
 - 060 Articles taken in trade
 - 070 Freight and delivery charges
 - 080 Deposits on returnable containers
 - 090 Farm machinery
 - 100 Artificial insemination of livestock
 - 120 Machinery for new and expanded industry
 - 130 Raw materials and industrial supplies
 - 140 Energy and energy-producing fuels
 - 150 Fuels used in the manufacture of electricity
 - 160 Natural gas; by-product gases and fuels
 - 170 Containers, wrapping and packing materials
 - 180 Installing or applying property sold
 - 190 Interstate and foreign commerce
 - 200 Occasional sales; sale of a business
 - 220 Sales to local governments
 - 220E (Same as 220, filed on Emergency Basis)
- Ch. 31 Sales and Use Tax - Administration and Accounting
 - 010 Accounting methods
 - 020 Records
 - 030 Direct pay authorization
 - 040 Repossessions and bad debts
 - 050 Returned merchandise
 - 060 Cash discounts
 - 070 Goods damaged in transit
 - 080 Coupons or redemption certificates
 - 090 Tax-paid purchases resold
 - 100 Demonstration and display
 - 110 Resale certificates
 - 120 Exemption certificates
 - 140 Interest, penalties and compensation
 - 150 Successors' liability
- Ch. 35 Severance Tax
 - 010 Gross and taxable value
- Ch. 40 Selective Excise Tax - Alcoholic Beverage
 - 010 Maintaining records
 - 030 Malt beverage tax
 - 050 Transportation
 - 090 Consumer tax rates
 - 100 Consumer tax; customs

Ch. 41 Selective Excise Tax - Cigarettes

- 020 Tax-free cigarettes
- 030 Wholesalers, resident and nonresident
- 040 Subjobbers, vending machine operators and unclassified acquirers
- 050 Transporters
- 060 Diversified operators
- 090 Evidence of tax payment
- 100 Segregation of cigarettes
- 110 Sample of cigarettes
- 120 Retention of records
- 130 Elimination of cigarette tax indicia

Ch. 43 Selective Excise Tax - Motor Fuels

- 010 Floor loss
- 020 Transporters' report
- 030 Received gasoline
- 050 Measurement
- 060 Gasoline defined
- 070 Sales to U.S. Government
- 080 Assignment
- 090 Tax refund
- 100 Farm tractor defined
- 110 Refund gasoline use
- 120 Prohibited uses
- 130 Identification
- 140 Cancellation
- 150 Determination
- 160 Peddlers
- 170 Approval of location
- 200 Display
- 210 Storage
- 230 Tax refunds

Ch. 44 Selective Excise Tax - Motor Vehicle Usage

- 010 Usage tax
- 020 Monthly payment

TITLE 104 COMMISSION ON HUMAN RIGHTS

Ch. 1 Human Rights

- 010 Posting and distribution of notices
- 020 Rules of practice and procedure
- 030 Employer records and reports
- 040 Guidelines for employment advertisement
- 050 Guidelines on discrimination
- 060 Multiple dwelling reporting

TITLE 105 KENTUCKY EMPLOYEES' RETIREMENT SYSTEM

Ch. 1 General Rules

- 010 Contributions and interest rate
- 020 Reciprocal program between CERS, KERS, SPRS and TRS

TITLE 200 EXECUTIVE DEPARTMENT FOR FINANCE & ADMINISTRATION

Ch. 1 Public Records

- 010 Inspecting and copying
- 010E (same as above, filed on emergency basis)

Ch. 2 Travel Expense and Reimbursement

- 030 Official work station
- 030E (same as above, filed on emergency basis)
- 060 Subsistence expenses
- 060E (same as above, filed on emergency basis)

Ch. 3 State Owned Buildings and Grounds

- 010 Vehicle parking and traffic control
- 010E (Same as 010, filed on Emergency basis)

Ch. 10 Office for Local Government

- 010 District boards; directors, terms
- 030 Local government bonds, obligations; marketing assistance

TITLE 201 DIVISION OF OCCUPATIONS AND PROFESSIONS

Ch. 1 Board of Accountancy

- 005 General repeal
- 010 Board
- 015 Meetings
- 020 Members of board
- 025 Quorum
- 030 Employees
- 035 Application for examination
- 040 Examination; notice, procedure for taking
- 045 Subjects of examination; grading; re-examination
- 050 Certificate application
- 055 Certificate by waiver of examination
- 060 Granting certificates
- 065 Annual fees
- 070 Reinstatement after failure to renew
- 075 Registration of partnerships
- 080 Use of partnership name
- 085 Use of confusing titles
- 090 Practice by non-resident
- 095 Code of ethics
- 120 Examinations; Subjects, grading, reexamination (Rejected; WITHDRAWN)

Ch. 2 Board of Pharmacy

- 010 Schools approved by the Board

020 Examinations

- 030 Reciprocity - Temporary license
- 040 Registration of interns
- 050 Licenses and permits; Fees
- 055 License renewal; revival fee
- 060 Pocket certificates
- 070 Prescription intermediary services restricted
- 080 Prescription substitution
- 090 Reference material and prescription equipment
- 095 Dispensing responsibilities
- 100 Security and control of drugs and prescriptions

Ch. 3 Board of Auctioneers

- 010 Apprenticeship requirements for principal examination
- 020 Residence requirements for apprentices
- 030 Reciprocity with Indiana residents
- 040 Non-cancellation during active military duty
- 050 Accounting of funds by licensed auctioneers
- 060 Sale of real estate at auction

Ch. 4 Board of Business Schools

- 020 Bonding requirements
- 030 Authority after licensure
- 040 Inspection; requirements
- 060 Refund policy requirements

Ch. 5 Board of Optometric Examiners

- 010 Application for examination
- 030 Annual courses of study required
- 040 Unprofessional conduct
- 050 Branch offices

Ch. 6 Board of Licensure for Nursing Home Administrators

- 010 Licensure

Ch. 7 Board for Licensing Hearing Aid Dealers

- 052 Annual meeting of board
- 122 Completion of training requirement; certification (WITHDRAWN)
- 125 Examination after training requirement (WITHDRAWN)

Ch. 8 Board of Dentistry

- 010 Oath
- 020 Organization; officers
- 030 Duties of president
- 035 Duties of vice-president
- 040 Duties of secretary-treasurer
- 050 Salaries; location of office
- 060 Rules of order
- 070 Vacancies; how filled
- 080 Annual meeting
- 090 Order of business
- 100 Interim administration
- 110 Amendments to rules and regulations
- 120 Special licensure
- 130 X-rays by dental assistants
- 135 Auxiliary personnel
- 140 Continuing education compliance
- 140E (Same as above; filed on emergency basis.)
- 150 Examination: application
- 160 Qualifications for examination
- 170 Application prior to graduation
- 180 Applicant; requirements
- 185 Written examination grade requirements
- 190 Examination committee
- 200 Release of examination questions
- 210 Examination questions review; approval
- 220 Clinical examination
- 230 Re-examination; when
- 240 Clinical demonstrations
- 250 Duplicate license certificate
- 260 Dental hygiene; application
- 270 Grade requirement; dental hygiene examination
- 277 Written and clinical application grade requirements
- 280 Re-examination; dental hygienists
- 290 Hygienists' official register
- 300 County registration; hygienists
- 310 Duplicate license; hygienists
- 320 Notice of place of employment; hygienists
- 330 Hygienists' temporary retirement; reinstatement
- 340 Specialty application; examination
- 345 Educational requirements; specialties
- 350 Specialty grade requirement
- 355 Register; dental specialists
- 375 Scholarship; administration
- 380 Repayment contract; scholarship
- 385 Scholarship contract form

Ch. 9 Board of Medical Licensure

- 010 Code of conduct
- 020 Licensing qualifications; approved schools
- 030 Examinations
- 040 License fees
- 050 License renewal; annual registration
- 060 Limited licenses

- 070 Temporary and emergency permits
- 080 Probation, suspension, revocation; hearing procedures
- 090 Physio-therapeutics' practice
- Ch. 10 Board of Examiners and Registration of Landscape Architects
 - 010 Duties of board
 - 020 Hearings
 - 030 Code of ethics
 - 040 Applications
 - 050 Fees
 - 060 Renewals
 - 070 Seals
- Ch. 11 Real Estate Commission
 - 005 Application for license
 - 010 Classroom instruction required
 - 015 Re-examination after failure
 - 020 Fee not reduced on reciprocal agreement
 - 025 Renewal after military duty
 - 030 License cancellation; reasons for
 - 035 Complaints against licensee
 - 040 Contracts to contain financing provisions
 - 045 Written offers to be submitted to owner-client
 - 050 Net listings; requirements
 - 055 Broker's sign requirements
 - 060 Broker's name required on advertising
 - 065 Trust or agency accounts required
 - 070 Branch offices
 - 075 Broker's interest disclosure
 - 080 Broker's requirements when not regularly engaged in business
 - 085 Conduct when managing property
 - 090 Instruments prepared by broker; disposition
 - 095 Closing statements; rental management agreements
 - 100 Exclusive listing contract; continuation
 - 105 Owner's consent and authorization
 - 110 Exclusive authority retained by original broker
 - 115 Auction obligations
 - 120 Broker-salesman defined
 - 125 Salesman required to complete instruction for examination
 - 130 Complaints must be resolved
 - 135 Salesman obtaining broker's license
 - 140 Salesman operating as broker; when
 - 145 Salesman's duties when terminating employment with broker
 - 150 Builder defined
 - 155 Builder - developer; compliance with rules and regulations
 - 160 Hearing on failure to abide by rules and regulations
- Ch. 12 Board of Hairdressers and Cosmetologists
 - 010 Administrator's duties
 - 020 Examination
 - 030 License required
 - 040 Apprentices; ratio to operators
 - 050 Reciprocity for valid licensee
 - 060 Inspections
 - 080 Shops' and schools' public identification
- Ch. 13 Board of Ophthalmic Dispensers
 - 010 Board; powers, duties, meetings
 - 020 Dispensing defined
 - 030 Contact lens fitting
 - 040 Licensing; application, examination; temporary permit
 - 050 Apprentices
 - 060 Military service; reciprocity
 - 070 License revocation
- Ch. 14 Board of Barbering
 - 010 Administrator's duties
 - 015 Retaking of apprentice examination
 - 020 Procedure before board
 - 025 Demonstration permit
 - 030 Five-year expiration of license
 - 035 Public identification of shops and schools
 - 040 Inspection of shops and schools
 - 045 Notification of new locations
 - 050 Apprentice's license; qualifications
 - 055 Permanent license after apprenticeship
 - 060 Licensing requirements for qualified non-residents
 - 065 Place of business requirements
 - 070 Shop license applications
 - 075 Shop advertising
 - 080 Number of apprentices per shop
 - 085 Sanitation requirements
 - 090 School curriculum
 - 095 Accredited school
 - 100 School advertising
 - 105 School application; medical certificate
 - 110 School equipment; plant layout
 - 115 Examinations; school and board
 - 120 High school transcript or GED required
 - 125 Teachers' and instructors' requirements
 - 130 School fees for services
 - 135 School attendance hours
 - 140 School license

- 145 New school locations
- 150 School records
- 155 School sanitation
- 160 Student regulations; dismissal, appeal
- 165 Number of students per instructor
- Ch. 15 Board of Embalmers and Funeral Directors
 - 010 Definitions
 - 020 Amendments to rules and regulations
 - 030 Application for examination
 - 040 Examination
 - 050 Apprenticeship requirements
 - 060 License renewal
 - 070 Reinstatement after failure to renew license
 - 080 Violations
- Ch. 16 Board of Veterinary Examiners
 - 010 Code of conduct
 - 020 Examination for licensing; reciprocity; fees
 - 030 License, annual renewal notice
- Ch. 17 Board of Examiners for Speech Pathology and Audiology
 - 010 Application for licensure
 - 020 Licensure without examination
 - 030 License fees
 - 040 Code of ethics
 - 050 Speech pathology aide
 - 060 Audiology aide
- Ch. 18 Board of Registration for Professional Engineers and Land Surveyors
 - 010 Classes of applicants
 - 020 Application forms
 - 030 In-training certificates
 - 040 Fees
 - 050 Branches of professional engineering
 - 060 Rejections
 - 070 Examinations
 - 080 Licensing certificates and cards
 - 090 Serial numbers
 - 100 Seals
 - 110 License renewals
 - 120 Reissuance of license certificate
 - 130 Administrative adjudicative procedure

TITLE 300 CABINET FOR DEVELOPMENT

TITLE 301 DEPARTMENT OF FISH AND WILDLIFE RESOURCES

- Ch. 1 Fish
 - 010 Boat docks and concession stands
 - 012 Boating, swimming and water skiing
 - 015 Boats and outboard motors - Size limits
 - 016 Private camps; boat docks, etc.
 - 020 Snagging
 - 030 Tennessee River closing hours
 - 031 Land-Between-the-Lakes provisions
 - 035 Cumberland Gap National Historical Park restrictions
 - 040 Skin and scuba diving prohibited; exceptions
 - 050 Small state-owned lakes, special regulations of
 - 055 Angling - Limits and seasons
 - 057 Trotlines: sport fishing
 - 060 Sport and rough fishing
 - 070 Rough fish from backwaters
 - 075 Giggling, snagging, tickling and noodling
 - 080 Fish and aquatic organisms
 - 082 Frog seasons; limits
 - 085 Mussel shell harvesting
 - 090 Bow fishing
 - 100 Trout stamp
 - 110 Prohibition on raising or hatching fish in public waters
 - 115 Propagation of fish, frogs, crayfish or aquatic organisms
 - 120 Live fish sales and handling - Licensure
 - 122 Importation, possession; live fish
 - 125 Transportation of fish
 - 130 Live bait for personal use
 - 132 Sale of live bait
 - 145 Gear allowed for commercial fishing
 - 150 Waters open to commercial fishing
 - 155 Commercial fishing requirements
- Ch. 2 Game
 - 010 Use of steel traps
 - 020 Use of devices for taking and pursuing wildlife
 - 021E Migratory birds seasons; limits
 - 022E Waterfowl seasons; limits
 - 025 Calling devices
 - 030 Commercial guides
 - 040 Upland game shooting preserves
 - 050 Land Between the Lakes hunting rules
 - 055 Pits and blinds; restrictions
 - 060 Sale of bobwhite quail for food purposes
 - 070 Birds of prey; taking and use
 - 080 Propagation of game; pet permits
 - 090 Means by which migratory game birds may be taken

- Ch. 3 Hunting and Fishing
 - 010 Acts of depredation prohibited
 - 020 License fees
 - 030 Year round season for some birds and animals
 - 050 Wild Turkey; gun and archery season
 - 060 Endangered fish and wildlife species

- Ch. 4 Wildlife
 - 010 Districts
 - 020 Ballard Refuge restrictions

TITLE 302 DEPARTMENT OF AGRICULTURE

- Ch. 1 Soybeans
 - 010 Referendum

- Ch. 5 Dog Law Administration
 - 010 Definitions
 - 020 Claim filing procedure
 - 030 Inspection by fieldmen
 - 040 Evaluation table
 - 050 Insurance coverage
 - 060 Payment of claims; criteria
 - 070 Issuance of licenses

- Ch. 10 Egg Marketing
 - 010 Definitions
 - 020 Inedible eggs
 - 030 Sampling
 - 040 License refusal, revocation or suspension
 - 050 Appeals procedure
 - 060 Consumer grades
 - 070 Consumer grade quality standards
 - 080 Shell, albumen and yolk specifications
 - 090 Unclassified eggs

- Ch. 15 Fairs and Shows
 - 010 Administration; state aid to local fairs
 - 020 Dairy cattle shows and sales
 - 030 Beef cattle shows and sales

- Ch. 20 Livestock Sanitation
 - 010 Definitions
 - 020 General requirements
 - 030 Authority to inspect, test, etc.
 - 040 Entry into state
 - 050 Carcasses
 - 060 Sales and exhibitions
 - 070 Stockyards
 - 080 Swine
 - 090 Biological
 - 100 Garbage

- Ch. 25 Milk Marketing
 - 005 Definitions
 - 015 Prohibited marketing practices
 - 025 Fair competition in milk sales; equipment prohibitions
 - 035 Discounts
 - 045 Stamps, coupons and redemption certificates
 - 055 Special prices prohibited
 - 065 Sales to governmental agencies
 - 075 Price schedule filing
 - 085 Retailer defined
 - 095 Violations; procedure and penalties

- Ch. 35 Grain Storage
 - 010 License application
 - 020 License required for each location
 - 030 Records
 - 040 Inspection
 - 050 Inventory shortage

- Ch. 75 Weights and Measures; Packaging and Labeling
 - 010 Application
 - 020 Definitions
 - 030 Identity
 - 050 Responsibility
 - 060 Quantity; consumer packages
 - 070 Quantity; nonconsumer packages
 - 080 Prominence and placement; consumer and nonconsumer packages
 - 100 Specific consumer commodities
 - 110 Exemptions
 - 120 Allowable variations

- Ch. 76 Weights and Measures; Method of Sale
 - 005 Food products
 - 015 Coatings and sealants
 - 025 Softwood lumber
 - 035 Peat and peat moss
 - 045 Roofing materials
 - 055 Railroad car tare weights
 - 065 Machine vended commodities
 - 075 Combination quantity declarations
 - 085 Presentation of price

- Ch. 77 Weights and Measures; General
 - 010 Tobacco sales commission fees
 - 020 Agricultural limestone

TITLE 303 KENTUCKY STATE FAIR BOARD

- Ch. 1 Fair Grounds and Exhibition Center
 - 003 Vehicle operation

- 005 Vehicle speed
- 010 Vehicle parking
- 015 Traffic flow
- 025 Harassment, coercion and annoyance
- 030 Alcoholic beverages
- 040 Firearms and deadly weapons
- 050 Admission
- 060 Destruction of property
- 070 Animals
- 080 Exposition center, grounds; dissemination of material; demonstrations
- 090 Exhibition center; dissemination of material; demonstrations

TITLE 304 DEPARTMENT OF PARKS

- Ch. 1 Parks and Campgrounds
 - 010 Accounting procedures
 - 020 Swimming restrictions
 - 030 Commercial activities
 - 040 Campgrounds

TITLE 400 DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION

TITLE 401 BUREAU OF ENVIRONMENTAL QUALITY

- Ch. 1 Division of Plumbing
 - 010 Definitions
 - 015 License application; examination
 - 020 Installation permits
 - 030 Quality and weight of materials
 - 040 Plumbing fixtures
 - 050 Waste pipe size
 - 060 Soil, waste and vent systems
 - 070 Joints and connections
 - 080 Traps and cleanouts
 - 090 Water supply and distribution
 - 100 House sewers and storm water piping; methods of installation
 - 110 Inspection and tests
 - 120 Private and commercial septic systems
 - 130 Mobile home park waste systems and connections
 - 140 Special connections
 - 150 Public buildings

- Ch. 2 Division of Solid Waste
 - 010 Landfills; construction and operation requirements

- Ch. 3 Division of Air Pollution
 - 010 General provisions
 - 020 Ambient air quality standards
 - 030 Emergency episodes
 - 040 Emission standards for hazardous air pollutants
 - 050 Standards of performance for new sources
 - 060 Standards of performance for existing sources
 - 070 Indirect sources

- Ch. 4 Division of Water Resources
 - 010 Water withdrawal permits; Criteria; Reports
 - 030 Design criteria for dams and associated structures
 - 040 Non-hazardous sediment structures exempted

- Ch. 5 Division of Water Quality
 - 005 Permits to discharge sewage; industrial and other wastes; definitions
 - 015 Spills and bypasses to be reported to department
 - 025 Water quality standards
 - 035 Use classification of waters; treatment requirements; compliance
 - 045 Biochemically degradable wastes; treatment

- Ch. 6 Division of Sanitary Engineering
 - 010 Public water supplies
 - 020 Flouidation of public water supplies
 - 030 Public swimming pools
 - 040 Treatment plants; distribution systems; certification of plant operators

TITLE 402 BUREAU OF LAND RESOURCES

- Ch. 1 Division of Reclamation
 - 010 Reclamation plans of surface effects of underground mines; Definitions; Certificates, fees, terms; Requirements
 - 025 Access roads
 - 030 Backfilling, grading and method of operation
 - 035 Permits
 - 040 Vegetative cover; evaluation
 - 045 Preplanning
 - 050 Blasting
 - 055 Water quality
 - 060 Water impoundments

- Ch. 2 Division of Conservation
 - 010 Direct aid eligibility of districts
 - 020 Allowable district expenditures

TITLE 500 DEPARTMENT OF JUSTICE

- Ch. 5 Kentucky Crime Commission
 - 005 Commission's meeting dates
 - 015 Filing period for grant application

TITLE 501 BUREAU OF CORRECTIONS

- Ch. 1 Kentucky Parole Board
 - 010 Time served for parole eligibility

TITLE 502 BUREAU OF STATE POLICE

- Ch. 5 Personnel - General
 - 010 Promotional system
 - 010E (Same as 010, filed on Emergency basis)

- Ch. 10 Driver Training
 - 010 Definitions
 - 020 Bureau facilities; facility inspection; bonding; conflict of interest
 - 030 Instructor's license
 - 040 Training school facilities
 - 050 Contracts and agreements
 - 060 School advertising
 - 070 Training vehicle, annual inspection
 - 080 License suspension, revocation, denial

- Ch. 15 General Traffic
 - 010 Accident reports

TITLE 503 BUREAU OF TRAINING

- Ch. 1 Kentucky Law Enforcement Council
 - 010 Training courses; application, eligibility
 - 020 School's certification
 - 030 Instructor's certification
 - 040 Basic training certification
 - 050 In-service schools; certified graduates
 - 059 Repeals

- Ch. 5 Law Enforcement Foundation Program Fund
 - 010 Definitions
 - 020 Participation requirements
 - 030 Basic and in-service training
 - 040 Educational incentive plan
 - 050 Salary provisions
 - 060 Suspension or termination of incentive funds
 - 070 Appeals

TITLE 600 DEPARTMENT OF TRANSPORTATION

TITLE 601 BUREAU OF VEHICLE REGULATION

- Ch. 1 Division of Motor Carriers
 - 005 Safety regulations
 - 010 Truck tractors, semi-trailers; maximum length
 - 020 Permit for hauling industrial materials; Fee; Bond
 - 020E (Same as 020, filed on Emergency basis)
 - 030 Hearings
 - 035 Definitions
 - 040 Application for operating authority
 - 045 Application and certificate filing
 - 050 Rates and fares
 - 060 Tariffs
 - 065 Time schedules
 - 070 Notice
 - 075 Claims
 - 080 Household goods carriers
 - 085 Annual reports
 - 090 Exempted commodities
 - 095 Complaints
 - 100 Insurance
 - 105 Off-route points and alternate routes
 - 110 Leasing services
 - 115 Taxicabs
 - 120 Charter bus operations

- Ch. 2 Administration
 - 010 General procedures

- Ch. 9 Motor Vehicle Tax
 - 010 Registration
 - 015 Registration of motor vehicle dealers; use of dealer plates
 - 020 Demonstration tag limitation
 - 025 Temporary tags
 - 030 Registration of vehicles previously titled out-of-state
 - 035 Inspection before registration
 - 040 Reciprocity
 - 045 Proportional registration
 - 050 Transferring registration of historic motor vehicle
 - 055 Seat and mileage taxes
 - 060 Commercial vehicles and trailers
 - 065 Exempt devices
 - 070 Motor carriers fuel use tax
 - 075 Transfer of repossessed vehicle or trailer

- Ch. 10 Motor Vehicle Inspection
 - 010 Station permits

- 020 Safety inspectors - Mechanics
- 030 Reports
- 040 Display of permits and signs
- 050 Inspection at time of registration-Annually
- 060 Extension of time
- 070 Exemptions
- 080 Private fleet permits

- Ch. 12 Driver's License
 - 010 Notice and hearing prior to revocation (WITHDRAWN)
 - 020 Expired license; requirements for renewal
 - 030 Instruction permit

- Ch. 13 Driver Improvement
 - 010 Medical Review Board - Basis for examination, evaluation, test
 - 020 Point system
 - 030 Alcohol driver education clinic

- Ch. 20 Motor Vehicle Dealers
 - 010 Board meetings
 - 030 Application - Disposition
 - 040 Licenses - Issuance or denial
 - 050 Supplemental license
 - 070 Suitable premises - Signs - Multi-businesses
 - 080 Change of business location
 - 090 Change of ownership
 - 110 Dealer - Salesman
 - 130 Used car dealers - Trade names

- Ch. 25 Division of Water Enforcement
 - 010 Vessel classifications
 - 020 Identification numbering system
 - 030 Registration decal
 - 040 Accident reports
 - 050 Safety equipment required
 - 060 Lighting equipment
 - 070 Signaling devices
 - 080 Life preservers
 - 090 Fire extinguisher equipment
 - 100 Red light on emergency vessel
 - 110 Overpowered and overloaded vessels prohibited
 - 120 Unsafe conditions; insufficient equipment
 - 130 Safety standards
 - 140 Water traffic "rules of the road"
 - 150 Passengers riding in dangerous positions prohibited
 - 160 Scuba diving standards
 - 170 Prohibited operation of vessels at power dams
 - 180 Zoning and marking of streams and lakes
 - 190 Zoned use areas, Herrington Lake and Little Sandy River

TITLE 602 DIVISION OF AERONAUTICS AND AIRPORT ZONING

- Ch. 1 Air Carriers
 - 010 Applications for intrastate certificates of public convenience and necessity
 - 020 Rules and procedures for hearings on certificates
 - 015 Charter permit application
 - 025 Tariff hearing procedures
 - 030 Operation of aircraft in intrastate air commerce
 - 040 Insurance and indemnity bond requirements
 - 050 Certificates; limitations and conditions
 - 060 Service requirements
 - 070 Monthly report of operations
 - 080 Schedule reporting

- Ch. 10 Airport Boards
 - 010 Reimbursement to airport boards for commuter air carriers service

- Ch. 20 Airport Safety Standards
 - 010 Definitions
 - 020 Issuance of landing area designation
 - 030 Standards applicable to all airports
 - 040 Landing strip airports
 - 050 Basic utility stage I airports
 - 060 Basic utility stage II airports
 - 070 General utility airports
 - 080 Basic-general transport airports
 - 090 Scheduled air carrier airports

- Ch. 50 Airport Zoning
 - 010 Definitions
 - 020 Administrator
 - 030 Jurisdiction of commission
 - 040 Airport land uses
 - 050 Airport zoning map
 - 060 Construction within conical surface permit
 - 070 Navigable airspace outside conical surface construction permit
 - 080 Permit application content
 - 090 Application procedure
 - 100 Marking and lighting obstructions standards
 - 110 Alteration, construction, valid permit period
 - 120 Hearing procedures

TITLE 603 BUREAU OF HIGHWAYS

- Ch. 1 Construction and Materials
 - 010 Contract price retainage; methods of release
 - 020 Driveway approaches, entrances; construction and maintenance
 - * 030 Crushed stone, bituminous materials; certificate of eligibility to bid
- Ch. 2 Pre-Construction
 - 015 Pre-qualification for construction; certificate of eligibility
- Ch. 3 Maintenance
 - 010 Advertising devices on limited access, interstate and turnpikes
 - 020 Advertising devices on partially controlled access and federal aid primary system
 - 030 Primary road system classifications
 - 040 Abandoned vehicles; removal
 - 050 Junkyards
- Ch. 4 Right-of-Way
 - 015 Relocation assistance
- Ch. 5 Traffic
 - 010 Types of limited access; permits for other access
 - 020 Pedestrian traffic on limited access facilities
 - 025 Fully controlled access highways
 - 030 Right turn on red signal prohibitions
 - 040 Use of rest areas
 - 050 Uniform traffic control devices
 - 060 Interstate toll ferries and bridges
 - 065 Truck weight limits
 - 070 Truck dimension limits
 - 075 Overload and over-dimension permits
 - 080 Truck detours
 - 090 Truck spacing on bridges
 - 095 Truckway classifications
 - 100 Permits for moving houses and buildings
 - 110 Permits for moving mobile homes
- Ch. 6 Truckway Classifications
 - 010 KY 15 Classifications
 - 011 KY 36 Classifications
 - 012 US 119 Classification
 - 013 KY 136 Classifications
 - 014 KY 797 Classification
 - 015 KY 909 Classifications
 - 016 KY 1232 Classification
 - 017 KY 1526 Classifications
 - 018 KY 1 Classifications
 - 019 KY 7 Classifications
 - 020 US 31-W Classifications
 - 021 I-24 Classification
 - 022 KY 153 Classifications
 - 023 KY 805 Classification
 - 024 KY 70 Classifications
 - 025 KY 85 Classifications
 - 026 KY 181 Classifications
 - 027 KY 1543 Classification
 - 029 KY 111 Classification
 - 030 KY 292 Classifications

TITLE 700 EDUCATION AND ARTS CABINET

TITLE 701 DEPARTMENT OF EDUCATION

TITLE 702 EDUCATION - BUREAU OF ADMINISTRATION AND FINANCE

- Ch. 1 General Administration
 - 010 Facilities surveys
 - 020 Length of employment
 - 030 Group life insurance program
- Ch. 2 Surplus Property
 - 010 Definitions of eligible entities
 - 020 Authority for organizing and operating
 - 030 Certification of eligibles
 - 040 Donee requirements on use and disposal of Federal surplus personal property donated for public health or educational purposes
 - 050 Donee requirements on use and disposal of Federal excess property
 - 060 Nonfederal excess, surplus or purchased property; requirements on use and disposal
 - 070 Acquisition from Division
 - 080 Service charges, funds and accounting procedures
 - 090 Director of Division; duties
 - 100 Property not covered by PL 152; authority for acquisition
- Ch. 3 School District Finance
 - 010 Guidelines for use of foundation program capital outlay funds
 - 020 Bond issue approval
 - 030 Insurance requirements on mortgaged buildings
 - 040 Check issuing policy
 - 045 Withholding funds
 - 050 Budget not to be exceeded

- 060 Teachers' salaries payment plan
- 070 Teachers' salary scheduling
- 075 Substitute teachers' salary scheduling
- 080 Treasurer's bond, penal sum
- 090 Depository bond, penal sum
- 100 Data form, professional staff
- 110 Document filing dates
- 120 Uniform school financial accounting system
- 130 Internal accounting
- 140 Bidding guidelines
- 150 Audit exceptions and corrections
- 160 Classroom units on basis of an area larger than a district
- 170 Educational television equipment purchases

- Ch. 4 Buildings and Grounds
 - 005 Recreational facilities; school and community
 - 010 Construction project application
 - 020 Plans and specifications for construction
 - 030 Local board's contract with architect, engineer
 - 040 Contract completion; changes; retainage
 - 050 Building sites; inspection, approval
 - 060 Construction criteria
 - 070 Mechanical, electrical, sanitary, heating and ventilation design
 - 080 Temporary or supplemental units
 - 090 Property disposal
- Ch. 5 Pupil Transportation
 - 010 Responsibilities of division
 - 020 Program cost calculation
 - 030 Superintendent's responsibilities
 - 040 District board's responsibilities
 - 050 Supervision and discipline of pupils
 - 060 Buses; specifications and purchases
 - 070 Liability insurance for buses
 - 080 Bus driver's qualifications; responsibilities
 - 090 Pupils' responsibilities
 - 100 Handicapped, reimbursement for
 - 110 Vocational pupils, reimbursement for

TITLE 703 EDUCATION - BUREAU OF PUPIL PERSONNEL SERVICES

- Ch. 1 Food Service Programs
 - 010 Local responsibilities
 - 020 District director
 - 030 Principal's responsibilities
 - 040 Personnel; policies and procedures
 - 050 Lunch and breakfast requirements
 - 060 Time minimum for meals
 - 070 Funds and reports
 - 080 Accrual cost accounting
- Ch. 2 School Terms, Attendance and Operation
 - 010 Terms and months
 - 020 Calendar
 - 030 Census
 - 040 Experimental schools
 - 050 Attendance; resident, non-resident
- Ch. 3 Guidance Services
 - 010 Personnel functions
 - 020 Counselor; criteria and duties
 - 030 Counselor units
 - 040 Federal funds

TITLE 704 EDUCATION - BUREAU OF INSTRUCTION

- Ch. 1 Exceptional and Handicapped Programs
 - 010 Hearing impairment
 - 020 Private programs
 - 030 Multiple handicapped (WITHDRAWN)
 - 040 Programs for deaf-blind
 - 050 Programs for exceptional children
- Ch. 2 Textbooks, Library and Instructional Materials
 - 010 State plan under PL 89-10
 - 020 Textbook program plan
- Ch. 3 Instructional Services
 - 010 Administrative and special services
 - 020 Reduction of clock hours (WITHDRAWN)
 - 030 Special instructional service units
 - 040 Criteria for the unit of superintendent or assistant superintendent
 - 050 Criteria for the unit of principal or assistant principal
 - 060 Criteria for the unit of visiting teacher
 - 070 Criteria for the unit of school social worker
 - 080 Criteria for the unit of school health coordinator
 - 090 Criteria for the unit of physical education teacher
 - 100 Criteria for the unit of health and physical education program consultant
 - 110 Criteria for the unit of music education teacher
 - 120 Criteria for the unit of music program consultant
 - 130 Criteria for the unit of art education teacher

- 140 Criteria for the unit of art program consultant
- 150 Criteria for the unit of industrial arts teacher
- 160 Criteria for the unit of local director of vocational education
- 170 Criteria for the unit of school media librarian
- 180 Criteria for the unit of school psychologist or psychometrist
- 190 Criteria for the unit of driver education and traffic safety teacher
- 200 Criteria for the unit of finance officer
- 210 Criteria for the unit of school lunch director
- 220 Criteria for the unit of supervisor of instruction
- 230 Criteria for the unit of director of pupil personnel
- 240 Criteria for the unit of reading program consultant
- 250 Criteria for ASIS unit of special education work-study program coordinator
- 260 Criteria for the unit of special consultants in academic subjects
- 270 Criteria for the unit of teacher-consultants in programs for exceptional children
- Ch. 4 Health and Physical Education Programs
 - 010 Physical education
 - 020 School health
- Ch. 5 Kindergartens and Nursery Schools
 - 010 Private programs
 - 050 Public school programs
- Ch. 10 Elementary and Secondary Education Act
 - 010 Kentucky plan
 - 050 Courses not in program of studies; procedure for offering
- Ch. 15 Teacher Education
 - 010 Accreditation of institutions
 - 020 Curricula; evaluation and approval
 - 030 Experimental programs of teacher preparation
 - 040 Internship modifications
 - 050 In-service training
 - 080 Paraprofessional personnel
- Ch. 20 Teacher Certification
 - 005 Kentucky plan for preparation program approval
 - 010 Ranking procedures; general
 - 015 Rank I classification
 - 020 Rank II equivalency
 - 025 Ranking of vocational instructors
 - 030 Proficiency evaluation
 - 035 Out-of-state preparation
 - 040 Correspondence credit
 - 045 Certification application
 - 050 Time limit for applying for certification
 - 055 Date of issuance; expiration
 - 060 Renewals
 - 065 Standard high school certificate
 - 070 Provisional high school certificate
 - 075 Secondary school level on elementary certification
 - 080 Provisional middle school-junior high certificate
 - 085 Standard elementary certificate
 - 090 Provisional elementary certificate
 - 095 Elementary level on high school certification
 - 100 Administrators and supervisors
 - 105 Art at elementary level on high school certificate
 - 110 Business administrators
 - 115 Driver education
 - 120 Emergency certification
 - 125 Experimental programs
 - 130 Guidance counselors
 - 135 Kindergarten teachers
 - 140 Librarians
 - 145 Media librarians
 - 150 Media specialists
 - 155 Media supervisors
 - 160 Music at elementary level on high school certification
 - 165 Newly created provisions
 - 170 Non-tax supported schools
 - 175 Physical education at elementary level on high school certification
 - 180 Reading specialists
 - 185 Psychometrists
 - 190 Rehabilitation counselors
 - 195 Social workers
 - 200 Special education supervisors
 - 205 Special education teachers
 - 210 Substitute teachers
 - 215 Vocational education administrators
 - 220 Vocational education teachers

TITLE 705 EDUCATION - BUREAU OF VOCATIONAL EDUCATION

- Ch. 1 Administration
 - 010 State plan
- Ch. 2 Fiscal Management
 - 020 Budgets
 - 030 Foundation program units
 - 090 Audits
- Ch. 3 Facilities and Equipment
 - 010 Definitions
 - 020 Specialized public high school; standards
 - 030 Area center or public high school, standards for department of
 - 040 Vocational-technical, public or state; standards
 - 050 College or university, department of; standards
 - 060 Remote high school, department of; standards
 - 070 Residential facilities
 - 075 Facility maintenance
 - 080 Construction
 - 090 Equipment specifications and requirements
 - 100 Equipment purchasing
 - 110 Equipment inventory
 - 120 Equipment insurance
 - 130 Equipment disposal
- Ch. 4 Instructional Programs
 - 010 General standards
 - 020 Extended employment; local districts
 - 030 Extended employment; state operated schools
 - 040 Cooperative program standards
 - 050 Work experience program standards
 - 060 Secondary vocational education standards
 - 070 Agribusiness education
 - 080 FFA leadership training center
 - 090 Business and office education
 - 100 Health and personal service education
 - 110 Home economics; consumer and homemaking
 - 120 Home economics; gainful
 - 130 Industrial education
 - 140 Marketing and distributive education
 - 150 Practical arts
 - 160 Public service occupations
 - 170 Special vocational education
 - 180 Postsecondary program standards
 - 190 Adult program standards
- Ch. 5 Management of State-Operated Schools
 - 010 Student enrollment quotas, local school districts
 - 020 Administration
 - 030 Transportation reimbursement
 - 040 Steering committee
 - 060 Live work projects, selection of
 - 070 Regional program
 - 080 Suspension and expulsion of students
- Ch. 6 Supporting Services
 - 010 Vocational teacher education
- Ch. 7 Adult Education
 - 010 Definitions
 - 020 Testing program
 - 030 High school equivalency certificate
 - 040 Eighth grade equivalency certificate
- Ch. 8 Student Financial Aid
 - 010 Administration
- Ch. 10 Licensing Proprietary Schools
 - 010 Certificate of approval
 - 020 Agent's permit
 - 030 Flight school bonding requirements
 - 040 Personnel qualifications
 - 050 School catalog
 - 060 Cancellation and refund policy
 - 070 Advertising
 - 080 Equipment and facilities
 - 090 Enrollment contract, records and reports
 - 100 Financial stability
 - 120 Appeals procedure
- Ch. 11 Veterans' Approval Agency
 - 010 Institutional courses, approval of
 - 020 Apprenticeship and OJT courses, approval of
 - 030 Revisions and amendments approval
 - 040 Denial or revocation of approval
 - 050 Inspection and supervision

TITLE 706 EDUCATION-BUREAU OF REHABILITATION SERVICES

- Ch. 1 Administration
 - 010 State Plan for vocational rehabilitation

TITLE 800 PUBLIC PROTECTION AND REGULATION CABINET

TITLE 801 REGISTRY OF ELECTION FINANCE

- Ch. 1 Reports and Forms
 - 005 Campaign treasurer
 - 010 Executive committee's report of contributions and expenditures

- 010E (same as 010, filed on Emergency basis)
- 020 Campaign committee's report of contributions and expenditures
- 020E (same as 020, filed on Emergency basis)
- 030 Campaign treasurer's report of contributions and expenditures
- * 030E (same as 030, filed on Emergency basis)
- 040 Notice of organization of campaign committee
- 040E (same as 040, filed on Emergency basis)

TITLE 802 KENTUCKY BOARD OF TAX APPEALS

- Ch. 1 Tax Appeals
 - 010 Rules of practice and procedure

TITLE 803 DEPARTMENT OF LABOR

- Ch. 1 Labor Standards; Wages and Hours
 - 005 Employee-Employer relationship
 - 010 Registration of apprenticeship programs
 - 020 Employment of apprentices and trainees
 - 030 Hearings on prevailing wage determinations
 - 040 Review of Commissioner's determination
 - 045 Contractors, subcontractors, prevailing rates of wages
 - 050 Contractor's records
 - 060 Overtime pay requirements
 - 065 Hours worked
 - 066 Record-keeping requirements
 - 070 Executive, administrative, supervisory or professional employees - Salesmen
 - 075 Exclusions from minimum wage and overtime
 - 080 Board, lodging, gratuities and other allowances
 - 085 Fringe benefits
 - 090 Handicapped, sheltered workshop and student employees' wages
 - 100 Child labor

- Ch. 2 Occupational Safety and Health
 - 010 Board procedures
 - 020 Adoption of 29 CFR Part 1910
 - 020E (Same as 020, amended and filed on Emergency basis)
 - 030 Adoption of 29 CFR Part 1926
 - 030E (Same as 030, amended and filed on Emergency basis)
 - 040 Definitions
 - 050 Scope
 - 060 Employers' responsibilities
 - 070 Inspections; procedure
 - 080 Advance notice of inspections
 - 090 Unwarranted inspections; complaint
 - 095 Trade secrets
 - 100 Imminent danger
 - 110 Employer and employee representatives
 - 115 Penalties
 - 120 Citations
 - 125 Posting of citations
 - 130 Informal conferences
 - 140 Employer and employee contests
 - 150 Time for filing complaint
 - 160 Carcinogens; registering
 - 170 Variances
 - 180 Recordkeeping; statistics

Ch. 3 (reserved for Fire Fighters Collective Bargaining)

- Ch. 4 Elevator Safety
 - 010 Elevators, dumbwaiters, escalators and moving walks standards

- Ch. 25 Workmen's Compensation Board
 - 010 Procedure
 - 020 Self insurers
 - 030 Special fund and employer; joint liability
 - 040 Average weekly wage certification
 - 050 Compensation payment time limitation; enforcement

- Ch. 50 Kentucky Occupational Safety and Health Review Commission
 - 010 Hearings; procedure, disposition

TITLE 804 DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

- Ch. 1 Advertising Distilled Spirits and Wine
 - 010 Inside signs
 - 020 Outside signs, first and second class cities
 - 030 Prohibited statements
 - 040 Novelties and specialties
 - 050 Promotion of particular brands prohibited
 - 060 Solicitation
 - 070 Samples
 - 080 Prohibited advertising
- Ch. 2 Advertising Malt Beverages
 - 005 Outside signs; first and second class cities
 - 015 Prohibited statements
 - 025 Novelties and specialties
- Ch. 3 Fair Trade, Pricing and Sales
 - 010 Minimum case distilled spirits values
 - 020 Minimum resale prices

- 030 Minimum wholesale price for wine
- 040 Close-out sales, date for approving
- 050 Transportation charges equalization
- 060 Taxes to be included in retail price
- 070 Retail price advertising
- 080 Cash sales only
- 090 Cash sales to private clubs and voluntary associations
- 100 Retail sales to certain persons prohibited

Ch. 4 Licensing

- 010 Information required
- 020 Non-resident, special agent or solicitor
- 030 Transport permit, non-resident licensee
- 040 Bottling house storage
- 050 Rectifying plants, bottling permitted
- 060 Special miniature vendor
- 070 Special industrial alcohol
- 080 Military reservations
- 090 Transfer of stock
- 100 Records to be retained
- 110 Dormant license renewal
- 120 Retail beer applications
- 130 Beer storage
- 140 Distributors' storage
- 150 Request for citation
- 160 Beer transporter
- 170 Through transporter
- 180 Freight forwarder
- 190 Out-of-state brewers bond
- 200 Warehouses

Ch. 5 Conduct of Business; Employees

- 010 Solicitors
- 020 Unemployable persons
- 030 Personnel prohibitions
- 040 Minors; definitions
- 050 Gambling stamps
- 060 Entertainment requirements

Ch. 6 Alcoholic Beverage Control Board

- 010 Procedures

Ch. 7 Retail Premises

- 010 Location in cities of first class
- 020 Stock during suspension of license period
- 030 Locked department
- 040 Retail licenses and restaurants
- 050 Display of license number

Ch. 8 Transportation of Alcoholic Beverages

- 010 Common carrier
- 020 Transporters' license
- 030 Boatlines' qualifications
- 040 From nearest depot by retail licensee
- 050 Signs on vehicles used
- 060 Persons not eligible to be licensed

Ch. 9 Quotas

- 010 Retail liquor license limit
- 020 Wholesale liquor license limit
- 030 Beer distributor license limit

Ch. 10 Local Administrators

- 010 County administrator
- 020 City administrator

Ch. 11 Malt Beverage Equipment, Supplies and Service

- 010 Equipment and supplies
- 020 Container charge or deposit

Ch. 12 Distilled Spirits Container Size

- 010 One-tenth gallon containers

TITLE 805 DEPARTMENT OF MINES AND MINERALS

Ch. 1 Division of Oil and Gas

- 030 Well location plat, preparation, form and contents
- 040 Vacuums; use of
- 050 Surety bonds; requirements, cancellation
- 060 Plugging wells; non coal-bearing strata
- 070 Plugging wells; coal-bearing strata
- 080 Gas storage reservoirs; drilling, plugging in vicinity

Ch. 2 Diesel Equipment

- 010 Underground coal mine usage

Ch. 3 Surface Mining Safety Standards

- 010 Definitions
- 020 General standards
- 030 Ground control
- 040 Fire prevention and control
- 050 Explosives
- 060 Drilling for blasting
- 070 Loading, hauling and dumping
- 080 Travelways
- 090 Electricity
- 100 Equipment use and operation
- 110 Employees' personal protection
- 120 Augering

Ch. 4 Division of Explosives and Blasting

- 010 Licensing blasters

020 Blasting standards
 030 Seismograph measurements
 040 Instrumentation
 050 Records
 060 Blasting safety

TITLE 806 DEPARTMENT OF INSURANCE

Ch. 2 Administration

010 Seal facsimile
 020 Interests and rewards prohibited
 030 Copies of regulations; fee
 040 Records of certificates of authority, licenses
 050 Complaints
 070 Preservation of records
 080 Public hearings

Ch. 3 Authorization of Insurers and General Requirements

020 Annual statements
 040 Date for determining capital position
 050 Bona fide surplus defined
 060 Substitute for deposit; reciprocal
 070 Annual statement forms
 090 Deposit requirements; foreign insurers
 100 Interstate multiple location lines
 110 Authorization
 120 Investment proposal

Ch. 5 Kinds of Insurance; Limits of Risk; Re-insurance

010 Reinsurance treaties filing
 020 Illegitimate use of reinsurance agreements
 030 Surety insurance not to include bail bonds
 040 Nationwide Marine defined

Ch. 6 Assets and Liabilities

010 Valuation standards; audits
 020 Temporary transfer of assets prohibited
 030 Investment letter stock defined
 040 Reserves for dividends
 050 Mandatory securities valuation reserve

Ch. 7 Investments

010 Loans to relatives, prohibited investments
 020 Person defined
 030 Finance committee of domestic insurers
 050 Equipment trust obligation defined
 060 Housing development investments
 070 Amortization of obligations; method
 080 Exchange-traded call options

Ch. 8 Administration of Deposits

010 Valuation of assets on deposit

Ch. 9 Agents, Consultants, Solicitors and Adjusters

005 Officers of corporations licensed as agents
 010 Interim license
 020 False or deceptive names, titles, prohibited
 030 Adjusters; examinations, licenses, restrictions
 040 Variable annuity agents' examination; exception
 050 Agents' records
 060 Identification cards
 070 Examination re-take limits
 080 Membership in professional agents' association
 090 Solicitor as "fulltime employee" defined
 100 Termination statement
 110 Agent's rights after contract termination
 120 Unlicensed adjusters
 130 Agent's assumed business name
 140 Agents and adjusters holding professional designations
 150 Life agents' training program
 160 Consultants

Ch. 10 Surplus Lines

010 Eligible surplus lines insurers
 020 Copies of dailies to be filed

Ch. 12 Trade Practices and Frauds

010 Advertising
 020 Fair disclosure to consumers
 030 Replacement of life insurance
 040 Insurance in credit transactions
 050 Complete disclosure on health policy replacements

Ch. 13 Rates and Rating Organizations

005 Procedure for rate revision filing
 010 New rate filings; renewals; hearings
 015 Suspension or modification of filing requirement
 020 Excess rates; consent form
 030 Rate deviations
 040 Automobile fleet insurance defined
 050 Rate information; excessive charge prohibited
 060 Loss experience data filing
 070 Kentucky Automobile Insurance Plan
 080 Groups of insurers defined; rate filings
 090 Premium financing

Ch. 14 Insurance Contract

005 Rate and form filing
 010 Proof of loss; form
 020 Binders
 030 Participating policy dividends not to be guaranteed
 040 Insurable interest of employers
 050 Additional benefits to policyholders
 060 Group certificate filing
 070 Restrictive endorsement; private passenger auto
 080 Premium must show municipal taxes
 090 Grouping for preferential treatment prohibited
 100 Certificate not to alter contract
 110 Dividend plans; filing, participation

Ch. 15 Life Insurance and Annuity Contracts

010 Variable annuity contracts
 020 Wholesale life insurance; employers' contribution; dividends

Ch. 17 Health Insurance Contracts

010 Refund of unearned premium
 020 Disclosure of other coverage in application
 030 Surgical schedule

Ch. 19 Credit Life Insurance and Credit Health Insurance

010 Credit transaction requirements
 020 Claims; secondary beneficiary
 030 Refunds, unearned premium; computation
 040 Extinguishment of debts; options
 050 Combined health and dismemberment restrictions
 060 Joint lives

Ch. 24 Domestic Stock and Mutual Insurers

010 Information required during incorporation and subsequent issue of equity securities
 020 Change of control through capital stock acquisition

Ch. 26 Insider Trading of Equity Securities

010 Proxies, consents and authorizations
 020 Insider trading requirements

Ch. 30 Insurance Premium Finance Companies

010 Application for license procedure
 020 Abuse of minimum service charge
 030 Representations of licensee limited
 040 Statement of account and receipt
 050 Prepayment or refinancing
 060 Forms to be approved
 070 Books and records subject to inspection

Ch. 34 Bail Bondsmen

005 Definitions
 010 Display of license; identification card
 020 Unsatisfied judgments
 030 Limitation on bonding
 040 Liability ratio schedule
 050 Examination for licensing
 055 Residency requirements
 060 Records to be maintained
 065 Records to be kept in Kentucky
 070 Collateral security affidavit

Ch. 38 Health Maintenance Organizations

010 Information required of applicants for certificate of authority
 020 Agents' licenses
 030 Contract filing, approval
 040 Financial projections; area overlapping
 050 Fiscal soundness of organization

Ch. 39 Motor Vehicle Reparations (No-Fault)

010 Motor vehicle defined
 020 Pedestrian defined
 030 Kentucky no-fault rejection form
 040 Governmental units excluded
 050 Self-insurance

Ch. 50 Fire Marshal

010 General construction requirements
 020 Construction requirements to accommodate physically handicapped
 050 LP Gas license denial, revocation or suspension (WITHDRAWN)
 060 LP Gas license; financial responsibility required
 070 LP Gas; standby usage requirements
 080 Flammable liquids; self-service station requirements
 100 Fire department aid
 150 Boiler standards (WITHDRAWN)
 151 Definitions; boiler safety
 155 Administrative procedures; requirements
 160 General requirements
 165 Power boiler requirements
 170 Heating boiler requirements
 175 Nuclear vessel requirements
 200 Mobile homes and recreational vehicles

TITLE 807 PUBLIC SERVICE COMMISSION

- Ch. 1 Administration
 - 010 Rules of procedure
- Ch. 2 Electric, Water, Gas and Telephone Utilities
 - 010 General rules
 - 020 Tariffs
 - 025 Gas
 - 030 Gas service - Service lines
 - 040 Water
 - 050 Electric
 - 060 Certification of electrical inspectors
- Ch. 3 Occupational Safety and Health
 - 010 Utilities - Employees and work areas

TITLE 808 DEPARTMENT OF BANKING AND SECURITIES

- Ch. 1 Administration
 - 010 Definitions
 - 020 Excess funds transactions
 - 030 Amendment of articles of incorporation
 - 040 Hearing procedures
 - 050 Retention of records
- Ch. 2 Cemeteries
 - 015 Annual reports
 - 025 Merchandise trust funds
- Ch. 3 Credit Unions
 - 010 Conduct and regulation
- Ch. 4 Finance Charges
 - 015 Permitted charges
- Ch. 5 Industrial Loans
 - 010 Conduct in soliciting business
 - 020 Restrictions
 - 030 Advertising
 - 040 Retention of records; examination
- Ch. 6 Small Loans
 - 005 Dual lending business
 - 010 Definition of business
 - 020 Restrictions on lending
 - 050 Advertising limitations
 - 055 Examination of advertisements
 - 060 Advertising of rates
 - 065 Accurate advertising statements
 - 070 Prohibited advertising statements regarding other loans
 - 075 Thirty-day moratorium on solicitation
 - 080 False or misleading advertising
 - 090 Power of attorney defined
 - 095 Place of business; hours
 - 100 Laws and regulations; knowledge of
 - 105 Records required
 - 110 Annual reports
 - 115 Note reduced to judgment; records
 - 120 Sale of mortgaged property; records
 - 125 Monetary inducements prohibited
- Ch. 10 Securities
 - 010 Forms for application, registration; reporting and compliance
 - 020 Net capital of broker-dealers
 - 030 Conduct of broker-dealers and employees
 - 040 Dishonest or unethical conduct defined
 - 050 Application withdrawal
 - 060 Abandoned applications
 - 070 Signature requirements
 - 080 Guidelines for issuers
 - 090 Issuers' reports
 - 100 Records of broker-dealer
 - 110 Records of investment advisers
 - 120 Registration files
 - 130 Amendments to registration statement
 - 140 Registration statements to be kept current

TITLE 810 STATE RACING COMMISSION

- Ch. 1 Thoroughbred Racing Rules
 - 001 Definitions
 - 002 Racing Commission
 - 003 Licensing
 - 004 Stewards
 - 005 Racing officials
 - 006 Racing associations
 - 007 Owners
 - 008 Trainers
 - 009 Jockeys and apprentices
 - 010 Authorized agents
 - 011 Pari-mutuel wagering
 - 012 Horses
 - 013 Entries, subscriptions and declarations
 - 014 Weights
 - 015 Claiming races
 - 016 Running of the race
 - 017 Objections and complaints
 - 018 Medication; testing procedures
 - 019 Disciplinary measures
 - 020 Hearings, reviews and appeals

TITLE 811 KENTUCKY HARNESS RACING COMMISSION

- Ch. 1 Harness Racing Rules
 - 005 Definitions
 - 010 Tracks
 - 015 Race officials
 - 020 Registration and identification of horses
 - 025 Farm or stable name
 - 030 Eligibility and classification
 - 035 Claiming races
 - 040 Stakes and futurities
 - 045 Entries
 - 050 Entries and starters; split races
 - 055 Declaration to start; drawing horses
 - 060 Postponement
 - 065 Starting
 - 070 Licensing; owners, drivers, trainers, grooms and agents
 - 075 Racing and track rules
 - 080 Placing; money distribution
 - 085 Conduct of racing
 - 090 Stimulants and drugs
 - 095 Fines, suspensions and expulsions
 - 100 Protests
 - 105 Review and appeal
 - 110 Timing and records
 - 115 Association licenses
 - 120 Licensing of race meetings
 - 125 Pari-mutuel rules
 - 130 Persons permitted on licensed premises
 - 135 Identification cards and badges
 - 140 Post time; entry number
 - 145 Number of races per program
 - 150 Officials; deputies and assistants
 - 155 Postponements
 - 160 Association with undesirables prohibited
 - 165 Drivers' stand
 - 170 Telephones
 - 175 Tack inspection
 - 180 Personnel to be licensed; fees
 - 185 Records, audits and reports
 - 190 Matters not covered by rules; violations
 - 195 Track deduction from wagers

TITLE 900 DEPARTMENT FOR HUMAN RESOURCES

TITLE 901 BUREAU FOR ADMINISTRATION AND OPERATIONS

- Ch. 1 Controlled Substances
 - 010 Licensing of manufacturers and wholesalers
 - 020 Schedule II substances
 - 025 Schedule III substances
 - 030 Schedule IV substances
 - 040 Exempt preparations
 - 050 Prescription drug refills
 - 060 Return of prescription drugs prohibited
- Ch. 5 Vital Statistics
 - 010 State registrar
 - 020 Delayed birth registration
 - 030 Stillbirths
 - 040 Verification of birth and death facts
 - 050 Certified copies of certificates; fee
 - 060 Birth certificate reissued; circumstances
 - 070 Certificate of birth amended
 - 080 Delayed registration of deaths

TITLE 902 BUREAU FOR HEALTH SERVICES

- Ch. 1 Drug Formulary
 - 010 Distribution of generic drug formulary
 - 020 Ampicillin
 - 030 Erythromycin
 - 040 Penicillin-G
 - 050 Penicillin-V
 - 060 Sodium Pentobarbital
 - 070 Sodium Secobarbital
 - 080 Acetaminophen
 - 090 Trisulfapyrimidine
 - 100 Reserpine
 - 110 Diphenhydramine
 - 120 Promethazine Hydrochloride
 - 130 Chlorpromazine Hydrochloride
 - 140 Sulfisoxazole
 - 150 Hydrochlorothiazide
 - 160 Oxytetracycline Hydrochloride
 - 170 Propoxyphene Hydrochloride
 - 180 Tetracycline Hydrochloride
- Ch. 2 Communicable Diseases
 - 010 Definitions and methods of control
 - 020 Reportable diseases
 - 030 Inspections and control procedures
 - 040 Surveillance and screening of carriers and selected groups
 - 050 Control procedures
 - 060 Immunization schedules
 - 070 Rabies control
 - 080 Venereal disease
- Ch. 3 Alcohol, Drugs and Occupational Programs
 - 005 Definitions; alcohol programs
 - 007 Organization and administration
 - 010 Licensing procedures

- 015 General program operation
- 020 Client's rights
- 025 Fiscal management
- 030 Personnel policies
- 035 Evaluation
- 040 Physical requirements
- 045 Dietetic services
- 050 Specific program standards
- Ch. 4 Maternal and Child Health
 - 010 Midwifery
 - 020 Care of eyes
 - 030 PKU tests
- Ch. 5 Hospitals and Institutions
 - 010 Patients' fees
- Ch. 6 Regional Mental Health-Mental Retardation Boards
 - 010 Local board authority
 - 020 Personnel rules of local board
 - 030 Board structure and operation; eligibility for state grants
 - 040 Hospital district assignments
- Ch. 7 Public Accommodations
 - 010 Hotel and motel code
- Ch. 10 Sanitation
 - 010 Public rest rooms
 - 020 Frozen food locker plants
 - 030 Sanitarians
 - 040 Youth camps
- Ch. 15 Mobile Homes and Recreational Vehicles Parks - Facilities Standards
 - 010 Mobile homes
 - 020 Recreational vehicles
- Ch. 20 Certificate of Need and Licensure Board
 - 005 Certificate of need
 - 007 License and fee schedule
 - 015 Hospital services; operations
 - 020 Extended care and recuperation center facilities
 - 025 Extended care and recuperation center services
 - 030 Personal care homes; operation and services
 - 035 Personal care homes; construction and alteration
 - 050 Intermediate care facilities; operation and services
 - 055 Intermediate care facilities; construction and alteration
 - 065 Day health care programs
 - 070 Outpatient clinics and ambulatory care facilities
 - 075 Outpatient clinics and ambulatory care services
 - 080 Home health agencies
 - 085 Special services for mentally retarded and developmentally disabled
 - 090 Community mental health - mental retardation center services
 - 095 Community mental health - mental retardation center facilities
 - 100 Ambulatory surgical center facilities
 - 105 Ambulatory surgical center services
 - 110 Medical alcohol detoxification centers
 - 115 Emergency care; ambulance services
 - 125 Hearings and appeals
- Ch. 45 Food and Cosmetics
 - 005 Food service code
 - 010 Definitions
 - 020 Shellfish
 - 030 Bakery products
 - 040 Carbonated beverages
 - 045 Sanitation; retail food markets
 - 050 Food packaging and labeling
 - 060 Cosmetic packaging and labeling
 - 080 Salvage
 - 100 Vending machines; food and beverages
- Ch. 50 Milk and Milk Products
 - 010 Milk definitions
 - 020 Grade A requirements
 - 030 Farm manufacturing requirements
 - 040 Hauler requirements
 - 050 Manufacturing plant requirements
 - 060 Frozen desserts
 - 070 Standards of identity
 - 080 Open dating requirements
- Ch. 100 Radiology
 - 001 Repeals
 - 005 General applicability
 - 010 Definitions
 - 015 General requirements
 - 020 Standards
 - 025 Concentrations above natural background for air and water
 - 030 Posting and disposal requirements
 - 035 Transport
 - 040 General provisions for specific licenses
 - 045 Exemptions
- 050 General licenses
- 055 Specific licenses
- 060 Leak testing
- 065 Reciprocal recognition
- 070 Intrastate transportation
- 075 Group classifications
- 080 Exempt quantities
- 085 Exempt concentrations
- 090 Broad license limits
- 095 Sealed sources
- 100 Industrial radiography
- 105 X-ray; general
- 110 Registration of x-ray
- 115 Diagnostic x-ray
- 120 Special x-ray
- 125 Fluoroscopic
- 130 Dental
- 135 Therapy
- 140 Veterinarians
- 145 Cabinet systems
- 150 Microscopic analytic x-ray
- 155 Particle accelerator
- 160 Plan review
- 165 Notices, reports and instructions to employees
- 170 Proceedings
- Ch. 105 Radiation Operators' Certification
 - 010 Definitions
 - 020 General requirements
 - 030 Teaching institution's curricula
 - 040 Medical or osteopathic physician supervision
 - 050 Chiropractor supervision
 - 060 Podiatrist supervision
 - 070 Violations and enforcement
- TITLE 903 BUREAU FOR MANPOWER SERVICES
 - Ch. 1 Employment Services
 - 010 Private employment agencies
- TITLE 904 BUREAU FOR SOCIAL INSURANCE
 - Ch. 1 Medical Assistance
 - 010E Physician services
 - 020E Pharmacy services
 - Ch. 2 Public Assistance
 - 010 AFDC; standards for need and amount
- TITLE 905 BUREAU FOR SOCIAL SERVICES
 - Ch. 1 Child Welfare
 - 010 Application for permission to place or receive child
 - 030 Selection and approval of adoptive parents
 - 040 Foster parents; basic criteria
 - 050 Approval of subsidies
 - 070 Standards for group homes
 - 080 Boarding home rates
 - 090 Standards for institutions and agencies
 - Ch. 2 Day Care
 - 010 Standards for all facilities
 - 020 Type I facility standards
 - 025 Type II facility standards
 - 030 School-age children care
 - 035 Infants and toddlers care
 - 040 Nighttime care
 - 060 Transportation standards

KAR References to Kentucky Revised Statutes

KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.
2.110	703 KAR 2:020	Chapter 44	200 KAR 2:030E	138.260	103 KAR 43:020	139.110	103 KAR 26:010
2.190	703 KAR 2:020		200 KAR 2:030	138.341	103 KAR 43:080		103 KAR 26:020
6.690-			200 KAR 2:060E		103 KAR 43:090		103 KAR 26:030
6.700	2 KAR 1:010		200 KAR 2:060	138.342	103 KAR 43:080		103 KAR 26:040
12.080	103 KAR 8:050	Chapter 45	200 KAR 2:030E	138.343-			103 KAR 26:060
	200 KAR 1:010E		200 KAR 2:030	138.357	103 KAR 43:120		103 KAR 26:070
	200 KAR 1:010		200 KAR 2:060E	138.344	103 KAR 43:100		103 KAR 26:080
12.140	103 KAR 8:050		200 KAR 2:060		103 KAR 43:110		103 KAR 26:090
Chapter 13	1 KAR 1:010	45.360(3)	603 KAR 1:030	138.345	103 KAR 43:140		103 KAR 26:100
15.020	40 KAR 1:010	Chapter 56	200 KAR 3:010E	138.348	103 KAR 43:130		103 KAR 27:010
15.025	40 KAR 1:020		200 KAR 3:010	138.351	103 KAR 43:130		103 KAR 27:020
15.330	503 KAR 1:010	56.610-		138.445	103 KAR 43:230		103 KAR 27:030
	503 KAR 1:020	56.760	603 KAR 4:015	138.450	103 KAR 44:010		103 KAR 27:040
	503 KAR 1:040	61.510-		138.460	103 KAR 44:010		103 KAR 27:050
	503 KAR 1:050	61.700	105 KAR 1:010		103 KAR 44:020		103 KAR 27:080
	503 KAR 1:059		105 KAR 1:020	138.463	103 KAR 44:020		103 KAR 27:090
15.360	503 KAR 1:030		102 KAR 1:185	138.470	103 KAR 44:010		103 KAR 27:120
15.410-		61.552	102 KAR 1:185	138.560-			103 KAR 27:130
15.510	503 KAR 5:060	61.680	102 KAR 1:185	138.640	103 KAR 43:150		103 KAR 27:140
15.420	503 KAR 5:010	Chapter 66	200 KAR 10:030		103 KAR 43:170		103 KAR 27:150
15.440	503 KAR 5:020	78.510-		138.560-			103 KAR 27:180
	503 KAR 5:030	78.990	105 KAR 1:010	138.645	103 KAR 43:160		103 KAR 28:010
15.460	503 KAR 5:040		105 KAR 1:020	139.050	103 KAR 26:020		103 KAR 28:070
	503 KAR 5:050	116.025	31 KAR 1:010		103 KAR 26:060		103 KAR 28:080
15.470	503 KAR 5:050	118.790	31 KAR 1:010		103 KAR 26:090		103 KAR 28:100
15.490	503 KAR 5:050	121.160	801 KAR 1:005		103 KAR 27:080		103 KAR 28:110
15.510	503 KAR 5:070	121.170	801 KAR 1:040E		103 KAR 27:090		103 KAR 28:130
15A.040	500 KAR 5:005		801 KAR 1:040		103 KAR 27:100		103 KAR 30:020
	500 KAR 5:015	121.180(1)	801 KAR 1:010E		103 KAR 27:130		103 KAR 30:080
15A.160	503 KAR 1:010		801 KAR 1:010		103 KAR 27:170		103 KAR 30:100
	503 KAR 1:059	121.180(2)	801 KAR 1:020E		103 KAR 28:020		103 KAR 30:150
16.050	502 KAR 5:010E		801 KAR 1:020		103 KAR 28:030		103 KAR 30:160
	502 KAR 5:010		801 KAR 1:030E		103 KAR 28:040		103 KAR 30:200
16.080	502 KAR 5:010E		801 KAR 1:030		103 KAR 28:060		103 KAR 31:080
	502 KAR 5:010	131.110	103 KAR 1:010		103 KAR 28:100	139.120	103 KAR 26:020
16.505-		131.130	103 KAR 5:080		103 KAR 28:110		103 KAR 26:050
16.645	105 KAR 1:010		103 KAR 7:010		103 KAR 30:020		103 KAR 26:060
	105 KAR 1:020		103 KAR 8:050		103 KAR 30:030		103 KAR 26:090
17.210	806 KAR 50:100		103 KAR 18:090		103 KAR 30:040		103 KAR 26:100
18.110	101 KAR 1:010	131.180	103 KAR 31:140		103 KAR 30:050		103 KAR 27:030
	101 KAR 1:040	131.182	103 KAR 31:140		103 KAR 30:060		103 KAR 27:040
	101 KAR 1:070	131.340	103 KAR 1:010		103 KAR 30:070		103 KAR 27:120
	101 KAR 1:090	131.345	103 KAR 1:010		103 KAR 30:150		103 KAR 27:130
	101 KAR 1:100		802 KAR 1:010		103 KAR 30:160		103 KAR 27:180
	101 KAR 1:110	131.360	103 KAR 1:010		103 KAR 30:180		103 KAR 28:010
	101 KAR 1:120	131.365	103 KAR 1:010		103 KAR 31:010		103 KAR 28:020
18.120	101 KAR 1:020	131.370	103 KAR 1:010		103 KAR 31:050		103 KAR 28:030
18.140	101 KAR 1:090	131.990	103 KAR 31:140		103 KAR 31:060		103 KAR 28:050
18.160	101 KAR 1:030	132.020	103 KAR 7:050		103 KAR 31:070		103 KAR 28:090
18.170	101 KAR 1:020	132.040	103 KAR 5:010		103 KAR 31:080		103 KAR 28:110
	101 KAR 1:040	132.043	103 KAR 7:050		103 KAR 31:090		103 KAR 30:080
	101 KAR 1:050	132.060	103 KAR 5:070		103 KAR 30:200		103 KAR 30:100
	101 KAR 1:080		103 KAR 5:090	139.070	103 KAR 31:080		103 KAR 30:150
	101 KAR 1:120	132.070	103 KAR 5:070	139.080	103 KAR 26:050		103 KAR 30:160
	101 KAR 1:130		103 KAR 5:090	139.090	103 KAR 27:130		103 KAR 30:200
	101 KAR 1:140	132.080	103 KAR 5:090		103 KAR 28:030		103 KAR 31:010
18.190	101 KAR 1:020		103 KAR 5:070		103 KAR 28:050	139.130	103 KAR 26:020
	101 KAR 1:050	132.090	103 KAR 5:090		103 KAR 28:110		103 KAR 26:060
	101 KAR 1:060		103 KAR 7:050		103 KAR 31:080		103 KAR 26:090
	101 KAR 1:070	132.190	103 KAR 7:050	139.100	103 KAR 25:050		103 KAR 26:100
	101 KAR 1:080	132.200	103 KAR 7:040		103 KAR 26:020		103 KAR 27:030
	101 KAR 1:110	132.215	103 KAR 7:050		103 KAR 26:060		103 KAR 27:080
	101 KAR 1:140		103 KAR 7:050		103 KAR 26:090		103 KAR 27:100
18.210	101 KAR 1:020	132.220	103 KAR 7:050		103 KAR 26:100		103 KAR 27:130
	101 KAR 1:040	132.285	103 KAR 5:050		103 KAR 27:030		103 KAR 27:180
	101 KAR 1:050		103 KAR 7:030		103 KAR 27:140		103 KAR 28:010
	101 KAR 1:060	132.400	103 KAR 5:050		103 KAR 27:180		103 KAR 28:030
	101 KAR 1:070	132.420	103 KAR 7:010		103 KAR 28:010		103 KAR 28:040
	101 KAR 1:080	132.510	103 KAR 5:070		103 KAR 28:030		103 KAR 28:110
	101 KAR 1:090	132.530	103 KAR 7:030		103 KAR 28:040		103 KAR 30:010
	101 KAR 1:100	134.060	103 KAR 7:050		103 KAR 28:060		103 KAR 30:030
	101 KAR 1:110	134.160	103 KAR 5:120		103 KAR 28:080		103 KAR 30:040
	101 KAR 1:120	134.370	103 KAR 5:020		103 KAR 28:090		103 KAR 30:050
	101 KAR 1:140	136.130	103 KAR 8:020		103 KAR 28:100		103 KAR 30:060
18.220	101 KAR 1:020		103 KAR 8:090		103 KAR 28:110		103 KAR 30:070
	101 KAR 1:040	136.180	103 KAR 8:030		103 KAR 28:120		103 KAR 30:080
	101 KAR 1:110	136.181	103 KAR 8:010		103 KAR 30:010		103 KAR 30:100
	101 KAR 1:200	136.182	103 KAR 8:010		103 KAR 30:060		103 KAR 30:150
18.240	101 KAR 1:040	136.270	103 KAR 5:110		103 KAR 30:080		103 KAR 30:160
	101 KAR 1:050	136.280	103 KAR 5:110		103 KAR 30:100		103 KAR 30:180
	101 KAR 1:080	136.290	103 KAR 5:080		103 KAR 30:130		103 KAR 31:010
	101 KAR 1:120	136.300	103 KAR 5:080		103 KAR 30:150		103 KAR 31:050
18.250	101 KAR 1:060	Chapter 138	601 KAR 9:040		103 KAR 30:170		103 KAR 31:070
	101 KAR 1:070		601 KAR 9:070		103 KAR 30:190		103 KAR 31:080
	101 KAR 1:090	138.140	103 KAR 41:130		103 KAR 30:200	139.140	103 KAR 26:100
	101 KAR 1:100	138.146	103 KAR 41:090		103 KAR 31:080		103 KAR 27:030
	101 KAR 1:020		103 KAR 41:100		103 KAR 31:090		103 KAR 27:180
18.260	101 KAR 1:110		103 KAR 41:130		103 KAR 31:100		103 KAR 28:010
18.270	101 KAR 1:120	138.155	103 KAR 41:110		103 KAR 31:110		103 KAR 28:110
	101 KAR 1:130	138.195	103 KAR 41:030		103 KAR 31:120		103 KAR 28:120
	101 KAR 1:020		103 KAR 41:040		103 KAR 31:130		103 KAR 28:130
18.300	101 KAR 1:020		103 KAR 41:050		103 KAR 31:140		103 KAR 28:140
18.310	101 KAR 1:020		103 KAR 41:060		103 KAR 31:150		103 KAR 28:150
18.320	101 KAR 1:020		103 KAR 41:120		103 KAR 31:160		103 KAR 28:160
Chapter 42	200 KAR 2:030E	138.207	103 KAR 41:020		103 KAR 31:170		103 KAR 28:170
	200 KAR 2:030	138.210(1)	103 KAR 43:010		103 KAR 31:180		103 KAR 28:180
	200 KAR 2:060E	138.210(4)	103 KAR 43:060		103 KAR 31:190		103 KAR 28:190
	200 KAR 2:060	138.210(5)	103 KAR 43:030		103 KAR 31:200		103 KAR 28:200
42.030	705 KAR 3:110	138.240	103 KAR 43:070		103 KAR 31:210		103 KAR 28:210
42.075	706 KAR 1:010	138.250	103 KAR 43:050		103 KAR 31:220		103 KAR 28:220

KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.
139.160	103 KAR 26:060	139.680	103 KAR 30:200	150.025	301 KAR 1:010	150.300	301 KAR 2:021E
	103 KAR 28:090		103 KAR 31:150		301 KAR 1:012		301 KAR 3:010
139.170	103 KAR 30:120	139.700	103 KAR 25:010		301 KAR 1:015		301 KAR 4:020
139.190	103 KAR 26:050		103 KAR 25:020		301 KAR 1:016	150.305	301 KAR 2:021E
	103 KAR 26:070		103 KAR 25:040		301 KAR 1:020		301 KAR 2:022E
	103 KAR 27:120	139.710	103 KAR 26:070		301 KAR 1:030		301 KAR 2:080
	103 KAR 28:080		103 KAR 31:010		301 KAR 1:035		301 KAR 3:050
139.200	103 KAR 31:010		103 KAR 31:030		301 KAR 1:040	150.310	301 KAR 3:050
139.210	103 KAR 25:080		103 KAR 31:140		301 KAR 1:050	150.320	301 KAR 2:021E
	103 KAR 26:070	139.720	103 KAR 28:080		301 KAR 1:055		301 KAR 2:080
	103 KAR 28:120		103 KAR 30:010		301 KAR 1:075	150.330	301 KAR 2:021E
139.230	103 KAR 25:080		103 KAR 31:010		301 KAR 1:080		301 KAR 2:022E
	103 KAR 25:090		103 KAR 31:020		301 KAR 1:082		301 KAR 2:040
	103 KAR 28:120	139.730	103 KAR 26:070		301 KAR 1:085		301 KAR 2:080
139.240	103 KAR 25:010	139.760	103 KAR 1:010		301 KAR 1:090		301 KAR 2:090
	103 KAR 25:020		103 KAR 31:110		301 KAR 1:110		301 KAR 3:030
	103 KAR 25:030	139.980	103 KAR 31:140		301 KAR 1:122	150.340	301 KAR 1:130
	103 KAR 25:070	139.980(4)	103 KAR 1:010		301 KAR 1:130		301 KAR 2:021E
	103 KAR 26:070	139.990	103 KAR 31:110		301 KAR 1:132		301 KAR 2:022E
	103 KAR 30:200		103 KAR 31:140		301 KAR 1:145	150.360	301 KAR 1:075
139.250	103 KAR 25:010	140.250	103 KAR 7:010		301 KAR 1:150		301 KAR 1:082
	103 KAR 25:030	141.010	103 KAR 15:030		301 KAR 1:155		301 KAR 1:090
	103 KAR 25:070		103 KAR 16:010		301 KAR 2:010		301 KAR 2:021E
	103 KAR 26:070		103 KAR 17:060		301 KAR 2:020		301 KAR 2:022E
139.260	103 KAR 28:070		103 KAR 17:070		301 KAR 2:022E		301 KAR 2:025
	103 KAR 28:030		103 KAR 17:090		301 KAR 2:025		301 KAR 2:050
	103 KAR 28:080		103 KAR 19:010		301 KAR 2:040		301 KAR 2:080
	103 KAR 30:010		103 KAR 19:030		301 KAR 2:055		301 KAR 2:090
	103 KAR 30:090		103 KAR 16:030		301 KAR 2:080		301 KAR 3:050
	103 KAR 30:180	141.012	103 KAR 17:010		301 KAR 3:020	150.370	301 KAR 2:080
	103 KAR 30:190	141.020	103 KAR 17:030		301 KAR 3:030	150.390	301 KAR 3:050
	103 KAR 31:010		103 KAR 17:060		301 KAR 3:060	150.400	301 KAR 2:010
	103 KAR 31:110		103 KAR 17:070		301 KAR 4:010	150.412	301 KAR 2:030
139.270	103 KAR 31:110		103 KAR 19:010		301 KAR 1:012	150.440	301 KAR 1:070
	103 KAR 31:110	141.021	103 KAR 17:080	150.090	301 KAR 1:015		301 KAR 1:075
139.280	103 KAR 31:110	141.030	103 KAR 19:010		301 KAR 1:016	150.445	301 KAR 1:057
139.290	103 KAR 28:050	141.042	103 KAR 15:050		301 KAR 2:025		301 KAR 1:145
	103 KAR 31:100		103 KAR 15:060		301 KAR 2:085		301 KAR 1:150
	103 KAR 31:110	141.050	103 KAR 17:020	150.105	301 KAR 1:085		301 KAR 1:155
139.300	103 KAR 31:110		103 KAR 18:090	150.110	301 KAR 1:145	150.450	301 KAR 1:115
139.310	103 KAR 25:040		103 KAR 18:010	150.120	301 KAR 1:150		301 KAR 1:130
	103 KAR 26:070	141.070	103 KAR 17:050		301 KAR 1:155		301 KAR 1:132
	103 KAR 27:040	141.081	103 KAR 17:050		301 KAR 1:035		301 KAR 1:145
139.320	103 KAR 25:110	141.082	103 KAR 16:050	150.170	301 KAR 1:085		301 KAR 1:150
	103 KAR 28:050	141.120	103 KAR 16:060		301 KAR 1:100		301 KAR 1:155
139.340	103 KAR 25:010		103 KAR 16:070		301 KAR 1:130	150.460	301 KAR 3:010
	103 KAR 25:090		103 KAR 16:080		301 KAR 1:145	150.470	301 KAR 1:020
	103 KAR 25:100		103 KAR 16:090		301 KAR 1:150		301 KAR 1:035
	103 KAR 30:190		103 KAR 16:100		301 KAR 1:155		301 KAR 1:055
	103 KAR 31:010		103 KAR 16:110		301 KAR 2:040		301 KAR 1:075
139.350	103 KAR 31:040		103 KAR 16:120		301 KAR 2:050	150.485	301 KAR 1:115
139.380	103 KAR 25:090		103 KAR 16:130		301 KAR 1:020		301 KAR 1:120
139.390	103 KAR 25:010		103 KAR 16:150	150.175	301 KAR 1:030		301 KAR 1:125
	103 KAR 25:020		103 KAR 16:160		301 KAR 1:035	150.510	301 KAR 1:085
	103 KAR 25:030		103 KAR 16:040		301 KAR 1:057	150.520	301 KAR 1:085
	103 KAR 25:100	141.130	103 KAR 15:050		301 KAR 1:070	150.600	301 KAR 2:055
	103 KAR 28:080	141.170	103 KAR 17:020		301 KAR 1:075		301 KAR 4:020
139.400	103 KAR 30:190	141.180	103 KAR 17:030		301 KAR 1:082	150.620	301 KAR 1:010
	103 KAR 31:030		103 KAR 19:010		301 KAR 1:085		301 KAR 1:012
	103 KAR 31:110	141.190	103 KAR 16:140		301 KAR 1:090		301 KAR 1:015
139.410	103 KAR 30:200	141.200	103 KAR 16:140		301 KAR 1:100		301 KAR 1:016
	103 KAR 31:110	141.205	103 KAR 19:030		301 KAR 1:120		301 KAR 1:040
139.420	103 KAR 31:110	141.206	103 KAR 15:040		301 KAR 1:122		301 KAR 1:050
139.430	103 KAR 28:050	141.210	103 KAR 17:040		301 KAR 1:130		301 KAR 3:010
	103 KAR 31:100	141.215	103 KAR 15:040		301 KAR 1:132	150.625	301 KAR 1:012
	103 KAR 31:110	141.235	103 KAR 15:050		301 KAR 1:145		301 KAR 1:015
139.440	103 KAR 31:110	141.300	103 KAR 15:060		301 KAR 1:150		301 KAR 1:016
139.450	103 KAR 28:080		103 KAR 15:060		301 KAR 1:155	150.640	301 KAR 1:016
139.470	103 KAR 26:050	141.305	103 KAR 18:010		301 KAR 2:030		301 KAR 3:012
	103 KAR 27:010	141.310	103 KAR 18:120		301 KAR 2:040		301 KAR 1:100
	103 KAR 27:180		103 KAR 18:060		301 KAR 3:020	150.650	301 KAR 1:110
	103 KAR 28:070	141.315	103 KAR 18:070		301 KAR 3:050	150.660	301 KAR 1:100
	103 KAR 28:080		103 KAR 18:080	150.176	301 KAR 3:050	150.670	301 KAR 1:100
	103 KAR 30:040		103 KAR 18:010		301 KAR 1:120	150.990	301 KAR 1:050
	103 KAR 30:170	141.320	103 KAR 18:100	150.180	301 KAR 1:122		301 KAR 1:055
	103 KAR 30:190	141.325	103 KAR 18:020		301 KAR 1:125	151.140	401 KAR 4:010
	103 KAR 30:200	141.330	103 KAR 18:030		301 KAR 1:132	151.160	401 KAR 4:010
	103 KAR 30:220E		103 KAR 18:040		301 KAR 2:070	151.250	401 KAR 4:030
	103 KAR 30:220		103 KAR 18:050		301 KAR 2:080		401 KAR 4:040
139.472	103 KAR 26:020		103 KAR 18:050		301 KAR 3:060	152.105-	
	103 KAR 30:020	141.335	103 KAR 18:020	150.183	301 KAR 1:085	152.190	902 KAR 100:001
139.480	103 KAR 30:090	141.355	103 KAR 18:110	150.190	301 KAR 1:120		902 KAR 100:005
	103 KAR 30:100	141.370	103 KAR 15:060		301 KAR 1:122		902 KAR 100:010
	103 KAR 30:120	141.990	103 KAR 35:010		301 KAR 2:030		902 KAR 100:015
	103 KAR 30:140	143.010	401 KAR 2:010		301 KAR 2:030		902 KAR 100:020
	103 KAR 30:010	146.110	401 KAR 2:020		301 KAR 3:020		902 KAR 100:025
139.485	103 KAR 31:110		200 KAR 10:010	150.225	301 KAR 1:120		902 KAR 100:030
139.490	103 KAR 31:120	Chapter 147A		150.235	301 KAR 3:020		902 KAR 100:035
	103 KAR 30:030	148.021	304 KAR 1:010	150.240	301 KAR 2:040		902 KAR 100:040
	103 KAR 30:130		304 KAR 1:020	150.250	301 KAR 1:031		902 KAR 100:045
139.550	103 KAR 25:030		304 KAR 1:030		301 KAR 1:035		902 KAR 100:050
	103 KAR 25:060		304 KAR 1:040		301 KAR 1:120		902 KAR 100:055
	103 KAR 31:010	150.010	301 KAR 1:057		301 KAR 1:115		902 KAR 100:060
139.560	103 KAR 25:060		301 KAR 1:060	150.280	301 KAR 2:020		902 KAR 100:065
	103 KAR 26:070		301 KAR 1:080		301 KAR 2:060		902 KAR 100:070
	103 KAR 31:010		301 KAR 1:125		301 KAR 2:070		902 KAR 100:075
139.570	103 KAR 31:140		301 KAR 1:130		301 KAR 2:080		902 KAR 100:080
139.580	103 KAR 25:030		301 KAR 1:145		301 KAR 1:115		902 KAR 100:085
139.610	103 KAR 31:140		301 KAR 1:150	150.290	301 KAR 2:060		902 KAR 100:090
139.640	103 KAR 31:140		301 KAR 1:155		301 KAR 2:080		902 KAR 100:095
139.650	103 KAR 31:140	150.022(1)	301 KAR 4:010				902 KAR 100:100
139.670	103 KAR 30:200						
	103 KAR 31:150						

KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.
152.105-152.190	902 KAR 100:105	156.160	702 KAR 3:045	158.150	705 KAR 5:080	161.030	704 KAR 20:025
	902 KAR 100:110		702 KAR 3:120	158.240	703 KAR 2:050		704 KAR 20:030
	902 KAR 100:115		702 KAR 5:010	158.300	704 KAR 5:010		704 KAR 20:035
	902 KAR 100:120		702 KAR 5:030		704 KAR 5:050		704 KAR 20:040
	902 KAR 100:125		702 KAR 5:040	158.310	704 KAR 5:010		704 KAR 20:045
	902 KAR 100:130		702 KAR 5:050	158.320	704 KAR 5:010		704 KAR 20:050
	902 KAR 100:135		702 KAR 5:080	158.330	704 KAR 5:010		704 KAR 20:055
	902 KAR 100:140		702 KAR 5:090	158.340	704 KAR 5:010		704 KAR 20:060
	902 KAR 100:145		704 KAR 4:010	158.350	704 KAR 5:010		704 KAR 20:065
	902 KAR 100:150		704 KAR 4:020	159.035	703 KAR 2:050		704 KAR 20:070
	902 KAR 100:155		704 KAR 10:050	159.170	703 KAR 2:030		704 KAR 20:075
	902 KAR 100:160		705 KAR 2:020	159.240	703 KAR 2:030		704 KAR 20:080
	902 KAR 100:165	156.160(11)	702 KAR 4:030	159.260	703 KAR 2:030		704 KAR 20:085
	902 KAR 100:170	156.200	703 KAR 1:070	160.293	702 KAR 4:005		704 KAR 20:090
156.010	705 KAR 3:080	156.265	705 KAR 2:090	160.310	702 KAR 5:070		704 KAR 20:095
	705 KAR 3:090	156.400-		160.380	703 KAR 1:020		704 KAR 20:100
	705 KAR 3:100	156.476	704 KAR 2:020		703 KAR 1:030		704 KAR 20:105
	705 KAR 3:120	156.480	703 KAR 1:070		703 KAR 1:040		704 KAR 20:110
156.015	705 KAR 3:080	156.485	705 KAR 7:010		703 KAR 1:050		704 KAR 20:115
156.022	702 KAR 2:010		705 KAR 7:020		703 KAR 1:060		704 KAR 20:125
	702 KAR 2:020		705 KAR 7:030	160.470	702 KAR 3:110		704 KAR 20:130
	702 KAR 2:030		705 KAR 7:040	160.476	702 KAR 4:090		704 KAR 20:135
	702 KAR 2:040	Chapter 157	703 KAR 2:040	160.550	702 KAR 3:050		704 KAR 20:140
	702 KAR 2:050	157.100-		160.560	702 KAR 3:040		704 KAR 20:145
	702 KAR 2:060	157.190	704 KAR 2:020	160.560(4)	702 KAR 3:080		704 KAR 20:150
	702 KAR 2:070	157.200-		160.570	702 KAR 3:090		704 KAR 20:155
	702 KAR 2:080	157.305	704 KAR 1:020	161.010	704 KAR 15:080		704 KAR 20:160
	702 KAR 2:090		704 KAR 1:030	161.020	703 KAR 1:020		704 KAR 20:165
	702 KAR 2:100		704 KAR 1:050		704 KAR 20:005		704 KAR 20:170
156.070	702 KAR 3:130	157.200(6)	704 KAR 1:010		704 KAR 20:055		704 KAR 20:175
	702 KAR 3:150	157.290	704 KAR 1:010		704 KAR 20:060		704 KAR 20:180
	705 KAR 2:020	157.312	704 KAR 5:050		704 KAR 20:065		704 KAR 20:185
	705 KAR 2:030	157.315	704 KAR 5:050		704 KAR 20:070		704 KAR 20:190
	705 KAR 2:090	157.320	705 KAR 3:010		704 KAR 20:075		704 KAR 20:195
	705 KAR 3:010		705 KAR 3:020		704 KAR 20:080		704 KAR 20:200
	705 KAR 3:020		705 KAR 3:030		704 KAR 20:085		704 KAR 20:205
	705 KAR 3:030		705 KAR 3:040		704 KAR 20:090		704 KAR 20:215
	705 KAR 3:040		705 KAR 3:050		704 KAR 20:095		704 KAR 20:220
	705 KAR 3:050		705 KAR 3:060		704 KAR 20:100		704 KAR 20:260
	705 KAR 3:060	157.320(10)	705 KAR 5:010		704 KAR 20:105	161.035	704 KAR 15:080
	705 KAR 3:070	157.320(13)	704 KAR 1:010		704 KAR 20:110	161.044	704 KAR 20:120
	705 KAR 4:010		702 KAR 3:070		704 KAR 20:115	161.100	704 KAR 20:210
	705 KAR 4:020		702 KAR 3:075		704 KAR 20:125		704 KAR 20:035

KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.
162.170	702 KAR 3:020	176.140	603 KAR 1:030	189.222	603 KAR 6:018	211.180	902 KAR 2:030
162.180	702 KAR 3:020	176.220	603 KAR 2:015		603 KAR 6:019		902 KAR 2:040
162.300	702 KAR 3:030	177.020	603 KAR 3:030		603 KAR 6:020		902 KAR 2:050
162.370	705 KAR 3:075	177.106	603 KAR 1:020		603 KAR 6:021		902 KAR 2:060
162.470	705 KAR 3:075	177.220	603 KAR 5:010		603 KAR 6:022		902 KAR 2:080
163.010	705 KAR 3:010		603 KAR 5:020		603 KAR 6:023		902 KAR 4:010
	705 KAR 3:020		603 KAR 5:025		603 KAR 6:024		902 KAR 4:020
	705 KAR 3:030	177.230	603 KAR 5:020		603 KAR 6:025		902 KAR 10:010
	705 KAR 3:040		603 KAR 5:025		603 KAR 6:026		902 KAR 10:040
	705 KAR 3:050		603 KAR 5:040		603 KAR 6:027	211.430(2)	201 KAR 8:375
	705 KAR 3:060	177.240	603 KAR 5:020		603 KAR 6:028		201 KAR 8:385
163.020	702 KAR 5:110	177.300	603 KAR 5:025		603 KAR 6:029	211.440(3)	201 KAR 8:380
	705 KAR 2:090	177.310	603 KAR 5:010		603 KAR 6:030	211.870	902 KAR 105:010
	705 KAR 3:100	177.410	603 KAR 5:010	189.222(4)	603 KAR 5:080		902 KAR 105:020
	705 KAR 5:030	177.440	603 KAR 5:010	189.231	603 KAR 5:090		902 KAR 105:030
163.030	702 KAR 5:110	177.830-		189.270	603 KAR 5:100		902 KAR 105:040
	705 KAR 2:020	177.890	603 KAR 3:010		601 KAR 5:110		902 KAR 105:050
	705 KAR 2:030		603 KAR 3:020	189.271	601 KAR 1:020E		902 KAR 105:060
	705 KAR 3:010	177.905-			601 KAR 1:020		902 KAR 105:070
	705 KAR 3:020	177.950	603 KAR 3:050	189.337(2)	603 KAR 5:050	211.890	902 KAR 105:010
	705 KAR 3:030	180.320	702 KAR 5:110	189.338	603 KAR 5:030		902 KAR 105:020
	705 KAR 3:040		705 KAR 5:030	189.340	603 KAR 5:025		902 KAR 105:030
	705 KAR 3:050	Chapter 183	602 KAR 1:010	189.540	702 KAR 5:010		902 KAR 105:040
	705 KAR 3:060		602 KAR 1:020		702 KAR 5:030		902 KAR 105:050
	705 KAR 3:070		602 KAR 1:030		702 KAR 5:040		902 KAR 105:060
	705 KAR 3:110		602 KAR 1:040		702 KAR 5:050	211.993	902 KAR 105:070
	705 KAR 3:120	183.090	602 KAR 20:010		702 KAR 5:080		902 KAR 105:010
	705 KAR 3:130		602 KAR 20:020		702 KAR 5:090		902 KAR 105:020
	705 KAR 4:010		602 KAR 20:030	189.635	502 KAR 15:010		902 KAR 105:030
	705 KAR 4:020		602 KAR 20:040	189.645	601 KAR 10:050		902 KAR 105:040
	705 KAR 4:030		602 KAR 20:050		601 KAR 10:060		902 KAR 105:050
	705 KAR 4:040		602 KAR 20:060	189.647	601 KAR 10:030		902 KAR 105:060
	705 KAR 4:050		602 KAR 20:070		601 KAR 10:040		902 KAR 105:070
	705 KAR 4:060		602 KAR 20:080		601 KAR 10:050	Chapter 213	901 KAR 5:010
	705 KAR 4:070		602 KAR 20:090	189.651	601 KAR 10:010		901 KAR 5:020
	705 KAR 4:080	183.110	602 KAR 20:030		601 KAR 10:040		901 KAR 5:030
	705 KAR 4:090	183.140-		189.653	601 KAR 10:010		901 KAR 5:040
	705 KAR 4:100	183.160	602 KAR 10:010		601 KAR 10:020		901 KAR 5:050
	705 KAR 4:110	183.530-			601 KAR 10:080		901 KAR 5:060
	705 KAR 4:120	183.620	602 KAR 1:015	189.655	601 KAR 10:040		901 KAR 5:070
	705 KAR 4:130		602 KAR 1:025	189.659	601 KAR 10:070		901 KAR 5:080
	705 KAR 4:140		602 KAR 1:050	189.751-		214.010	902 KAR 2:010
	705 KAR 4:150		602 KAR 1:060	189.990	603 KAR 3:040		902 KAR 2:020
	705 KAR 4:160		602 KAR 1:070	189.920	601 KAR 25:100		902 KAR 2:030
	705 KAR 4:170		602 KAR 1:080	190.010	601 KAR 20:110		902 KAR 2:040
	705 KAR 4:180		602 KAR 50:030	190.030	601 KAR 20:030		902 KAR 2:080
	705 KAR 4:190	183.861			601 KAR 20:040	214.020	902 KAR 2:010
	705 KAR 5:010	183.861-	602 KAR 50:010		601 KAR 20:050		902 KAR 2:030
	705 KAR 5:020	183.990	602 KAR 50:020		601 KAR 20:080		902 KAR 2:040
	705 KAR 5:030		602 KAR 50:060		601 KAR 20:090		902 KAR 2:050
	705 KAR 5:040		602 KAR 50:100		601 KAR 20:110	214.032	902 KAR 2:060
	705 KAR 5:060		602 KAR 50:110	190.035	601 KAR 20:070	214.034	902 KAR 2:060
	705 KAR 5:070	183.865	602 KAR 50:030		601 KAR 20:110	214.036	902 KAR 2:060
	705 KAR 5:080		602 KAR 50:040	190.037	601 KAR 20:040	214.155	902 KAR 4:030
	705 KAR 6:010	183.867	602 KAR 50:030	190.040	601 KAR 20:040	214.160	902 KAR 2:080
	705 KAR 11:010		602 KAR 50:050		601 KAR 20:130	214.170	902 KAR 2:080
	705 KAR 11:020	183.869	602 KAR 50:080		601 KAR 20:010		
	705 KAR 11:030		602 KAR 50:090	190.061	905 KAR 1:090	214.185	902 KAR 2:080
	705 KAR 11:040	183.870	602 KAR 50:070	199.011(6)	905 KAR 1:090	216.405-	
	705 KAR 11:050		602 KAR 50:080	199.011(7)	905 KAR 1:090	216.485	902 KAR 20:005
	705 KAR 2:020		602 KAR 50:090	199.011(12)	905 KAR 1:090		902 KAR 20:015
163.040	705 KAR 3:130	183.871	602 KAR 50:080	199.470(4)	905 KAR 1:010		902 KAR 20:020
163.110	706 KAR 1:010		602 KAR 50:090	199.471	905 KAR 1:030		902 KAR 20:025
163.120	706 KAR 1:010		602 KAR 50:120	199.472	905 KAR 1:030		902 KAR 20:030
163.130	706 KAR 1:010	Chapter 186	601 KAR 9:010	199.473	905 KAR 1:010		902 KAR 20:035
163.140	706 KAR 1:010		806 KAR 9:040	199.555	905 KAR 1:050		902 KAR 20:050
163.150	706 KAR 1:010		601 KAR 9:045	199.640-			902 KAR 20:055
163.160	706 KAR 1:010		601 KAR 9:055	199.670	905 KAR 1:070		902 KAR 20:065
163.170	706 KAR 1:010		601 KAR 9:060		905 KAR 1:090		902 KAR 20:070
163.180	706 KAR 1:010		601 KAR 12:010	199.892-			902 KAR 20:075
163.220	706 KAR 1:010		806 KAR 39:010	199.896	905 KAR 2:010		902 KAR 20:080
163.230	706 KAR 1:010	186.020	601 KAR 9:030		905 KAR 2:020		902 KAR 20:085
163.240	706 KAR 1:010	186.043	601 KAR 9:050		905 KAR 2:025		902 KAR 20:090
163.330	705 KAR 10:020	186.045	601 KAR 9:075		905 KAR 2:030		902 KAR 20:095
163.340	705 KAR 10:010	186.053	601 KAR 9:020		905 KAR 2:035		902 KAR 20:100
	705 KAR 10:030	186.070	601 KAR 9:015		905 KAR 2:040		902 KAR 20:105
	705 KAR 10:050	186.074	601 KAR 9:025		905 KAR 2:060		902 KAR 20:110
163.360	705 KAR 10:050	186.235	601 KAR 9:035	202.380	902 KAR 6:040		902 KAR 20:115
	705 KAR 10:010	186.450	601 KAR 12:030	205.200(2)	904 KAR 2:010		902 KAR 20:125
	705 KAR 10:040	186.480	601 KAR 12:020	205.210(1)	904 KAR 2:010		
	705 KAR 10:050	186.560	601 KAR 13:030	205.550(4)	904 KAR 1:010E	216.405-	902 KAR 20:007
	705 KAR 10:060	186.570	601 KAR 13:020		904 KAR 1:020E	216.990(2)	902 KAR 20:005
	705 KAR 10:070	186.570(1)(c)	601 KAR 13:010	205.560(4)	904 KAR 1:010E	216.990(2)	902 KAR 20:015
	705 KAR 10:080	186.650	601 KAR 9:065		904 KAR 1:020E		902 KAR 20:020
	705 KAR 10:090	189.190	603 KAR 5:025	208.430(1)(b)	905 KAR 1:040		902 KAR 20:025
	705 KAR 10:100	189.220	603 KAR 5:100		905 KAR 1:080		902 KAR 20:030
164.740-	705 KAR 10:120	189.221	603 KAR 5:090	210.120	902 KAR 6:020		902 KAR 20:035
164.764	11 KAR 1:010E	189.222	601 KAR 1:010	210.300	902 KAR 6:040		902 KAR 20:050
	11 KAR 1:010		601 KAR 1:020E	210.310	902 KAR 5:010		902 KAR 20:055
	705 KAR 8:010		601 KAR 1:020	210.370	902 KAR 6:020		902 KAR 20:065
166.120	705 KAR 3:090		603 KAR 5:065	210.400	902 KAR 6:030		902 KAR 20:070
167.210-			603 KAR 5:070	210.410	902 KAR 6:030		902 KAR 20:075
167.240	704 KAR 1:040		603 KAR 5:075	210.440	902 KAR 6:010		902 KAR 20:080
171.650	200 KAR 1:010E		603 KAR 5:095	210.450	902 KAR 6:010		902 KAR 20:085
	200 KAR 1:010		603 KAR 6:010		902 KAR 6:020		902 KAR 20:090
175.450	603 KAR 5:010		603 KAR 6:011	Chapter 211	902 KAR 6:030		902 KAR 20:095
176.050	603 KAR 1:020		603 KAR 6:012		401 KAR 6:010		902 KAR 20:100
	603 KAR 5:010		603 KAR 6:013		401 KAR 6:020		902 KAR 20:105
176.070	603 KAR 1:030		603 KAR 6:014		401 KAR 6:030		902 KAR 20:110
176.095	603 KAR 1:010		603 KAR 6:015	211.090	902 KAR 4:010		902 KAR 20:115
176.130	603 KAR 2:015		603 KAR 6:016				902 KAR 20:125
176.130(3)	603 KAR 1:030		603 KAR 6:017	211.180	902 KAR 2:010	Chapter 216A	201 KAR 6:010
					902 KAR 2:020		

KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.
217.005-		222.210-		230.630(3)	811 KAR 1:005	234.140	806 KAR 50:070
217.215	901 KAR 1:050	222.230	902 KAR 3:005		811 KAR 1:010	234.180	806 KAR 50:070
	901 KAR 1:060		902 KAR 3:007		811 KAR 1:015	234.310-	
	902 KAR 45:010		902 KAR 3:010		811 KAR 1:020	234.440	103 KAR 43:200
	902 KAR 45:020		902 KAR 3:015		811 KAR 1:025		103 KAR 43:210
	902 KAR 45:030		902 KAR 3:020		811 KAR 1:030	Chapter 235	601 KAR 25:010
	902 KAR 45:040		902 KAR 3:025		811 KAR 1:035	235.040	601 KAR 25:020
	902 KAR 45:045		902 KAR 3:030		811 KAR 1:040		601 KAR 25:030
	902 KAR 45:050		902 KAR 3:035		811 KAR 1:045	235.050	601 KAR 25:030
	902 KAR 45:060		902 KAR 3:040		811 KAR 1:050	235.110	601 KAR 25:020
	902 KAR 45:080		902 KAR 3:045		811 KAR 1:055	235.150	601 KAR 25:030
217.808-			902 KAR 3:050		811 KAR 1:060	235.200	601 KAR 25:050
217.812	902 KAR 45:010	222.200	902 KAR 6:040		811 KAR 1:065		601 KAR 25:060
	902 KAR 45:100	Chapter 223	401 KAR 6:040		811 KAR 1:070		601 KAR 25:070
217.814-		223.010-			811 KAR 1:075		601 KAR 25:080
217.826	902 KAR 1:010	223.080	902 KAR 10:030		811 KAR 1:080		601 KAR 25:090
	902 KAR 1:020	223.990	902 KAR 10:030		811 KAR 1:085		601 KAR 25:120
	902 KAR 1:030	Chapter 224	401 KAR 2:010		811 KAR 1:090	235.205	601 KAR 25:100
	902 KAR 1:040		401 KAR 3:010		811 KAR 1:095	235.240	601 KAR 25:130
	902 KAR 1:050		401 KAR 3:020		811 KAR 1:100	235.250	601 KAR 25:040
	902 KAR 1:060		401 KAR 3:030		811 KAR 1:105	235.280	601 KAR 25:050
	902 KAR 1:070		401 KAR 3:050		811 KAR 1:110		601 KAR 25:110
	902 KAR 1:080		401 KAR 3:060		811 KAR 1:115		601 KAR 25:120
	902 KAR 1:090		401 KAR 3:070		811 KAR 1:120		601 KAR 25:130
	902 KAR 1:100		401 KAR 5:005		811 KAR 1:125		601 KAR 25:140
	902 KAR 1:110		401 KAR 5:015		811 KAR 1:130		601 KAR 25:150
	902 KAR 1:120		401 KAR 5:025		811 KAR 1:135		601 KAR 25:160
	902 KAR 1:130		401 KAR 5:045		811 KAR 1:140		601 KAR 25:170
	902 KAR 1:140	224.020	401 KAR 5:035		811 KAR 1:145		601 KAR 25:180
	902 KAR 1:150	224.033	401 KAR 3:040		811 KAR 1:150		601 KAR 25:190
	902 KAR 1:160	224.060	401 KAR 5:035		811 KAR 1:155	235.310	601 KAR 25:120
	902 KAR 1:170	224.135	401 KAR 6:040		811 KAR 1:160	236.030	806 KAR 50:150
	902 KAR 1:180	224.330	401 KAR 3:040		811 KAR 1:165		806 KAR 50:151
217.990(8)	902 KAR 45:010	Chapter 227	807 KAR 2:060		811 KAR 1:170		806 KAR 50:155
	902 KAR 45:100	227.220	806 KAR 50:010		811 KAR 1:175		806 KAR 50:160
217.990		227.300	806 KAR 50:080		811 KAR 1:180		806 KAR 50:165
(9)(10)	902 KAR 1:010	227.305	806 KAR 50:020		811 KAR 1:185		806 KAR 50:170
	902 KAR 1:020	227.570	806 KAR 50:200		811 KAR 1:190		806 KAR 50:175
	902 KAR 1:030	230.210-		230.630(6)	811 KAR 1:185	241.060	804 KAR 4:150
	902 KAR 1:040	230.360	810 KAR 1:001	230.640	811 KAR 1:010		804 KAR 6:010
	902 KAR 1:050		810 KAR 1:002		811 KAR 1:025		804 KAR 9:010
	902 KAR 1:060		810 KAR 1:003		811 KAR 1:035		804 KAR 9:020
	902 KAR 1:070		810 KAR 1:004		811 KAR 1:040		804 KAR 9:030
	902 KAR 1:080		810 KAR 1:005		811 KAR 1:045		804 KAR 11:020
	902 KAR 1:090		810 KAR 1:006		811 KAR 1:050	241.065	804 KAR 7:010
	902 KAR 1:100		810 KAR 1:007		811 KAR 1:055		804 KAR 9:010
	902 KAR 1:110		810 KAR 1:008		811 KAR 1:060	241.075	804 KAR 7:010
	902 KAR 1:120		810 KAR 1:009		811 KAR 1:065		804 KAR 9:010
	902 KAR 1:130		810 KAR 1:010		811 KAR 1:070	241.130	804 KAR 10:010
	902 KAR 1:140		810 KAR 1:011		811 KAR 1:075	241.180	804 KAR 10:020
	902 KAR 1:150		810 KAR 1:012		811 KAR 1:080	243.020	804 KAR 4:100
	902 KAR 1:160		810 KAR 1:013		811 KAR 1:085		804 KAR 4:110
	902 KAR 1:170		810 KAR 1:014		811 KAR 1:090	243.030	804 KAR 4:020
	902 KAR 1:180		810 KAR 1:015		811 KAR 1:095		804 KAR 4:030
217.992	901 KAR 1:050		810 KAR 1:016		811 KAR 1:100		804 KAR 4:040
	901 KAR 1:060		810 KAR 1:017		811 KAR 1:105		804 KAR 4:050
	902 KAR 45:010		810 KAR 1:018		811 KAR 1:110		804 KAR 4:060
	902 KAR 45:020		810 KAR 1:019		811 KAR 1:115		804 KAR 4:070
	902 KAR 45:030		810 KAR 1:020		811 KAR 1:120		804 KAR 4:100
	902 KAR 45:040	230.620(4)	811 KAR 1:150		811 KAR 1:125		804 KAR 4:110
	902 KAR 45:045	230.630(1)	811 KAR 1:010		811 KAR 1:130		804 KAR 4:170
	902 KAR 45:050		811 KAR 1:015		811 KAR 1:135		804 KAR 4:180
	902 KAR 45:060		811 KAR 1:020		811 KAR 1:140		804 KAR 9:010
	902 KAR 45:080		811 KAR 1:025		811 KAR 1:145	243.030(13)	804 KAR 5:010
217C.010-			811 KAR 1:030		811 KAR 1:150	243.030(18)	804 KAR 4:080
217C.990	902 KAR 50:010		811 KAR 1:035		811 KAR 1:155		804 KAR 4:200
	902 KAR 50:020		811 KAR 1:040		811 KAR 1:160	243.040	804 KAR 4:100
	902 KAR 50:030		811 KAR 1:045		811 KAR 1:165		804 KAR 4:110
	902 KAR 50:040		811 KAR 1:050		811 KAR 1:170		804 KAR 4:130
	902 KAR 50:050		811 KAR 1:055		811 KAR 1:175		804 KAR 4:140
	902 KAR 50:060		811 KAR 1:060		811 KAR 1:180		804 KAR 4:160
	902 KAR 50:070		811 KAR 1:065		811 KAR 1:185		804 KAR 9:020
	902 KAR 50:080		811 KAR 1:070		811 KAR 1:190		804 KAR 9:030
Chapter 218A	901 KAR 1:010		811 KAR 1:075	230.640(2)	811 KAR 1:015	243.040(7)	804 KAR 4:080
	901 KAR 1:020		811 KAR 1:080		811 KAR 1:020		804 KAR 4:190
	901 KAR 1:025		811 KAR 1:085	230.650	811 KAR 1:150	243.090	804 KAR 4:110
	901 KAR 1:030		811 KAR 1:090	230.660	811 KAR 1:015	243.110	804 KAR 8:060
	901 KAR 1:040		811 KAR 1:095		811 KAR 1:150	243.120	804 KAR 4:050
219.011-			811 KAR 1:100		811 KAR 1:025	243.130	804 KAR 1:070
219.081	902 KAR 7:010		811 KAR 1:105	230.680	811 KAR 1:115	243.150	804 KAR 4:190
	902 KAR 45:005		811 KAR 1:110		811 KAR 1:120	243.170	804 KAR 1:070
	902 KAR 45:010		811 KAR 1:115	230.690	811 KAR 1:115	243.200	804 KAR 4:030
219.310-			811 KAR 1:120		811 KAR 1:120		804 KAR 4:170
219.410	902 KAR 15:010		811 KAR 1:125		811 KAR 1:125		804 KAR 4:180
	902 KAR 15:020		811 KAR 1:130		811 KAR 1:185		804 KAR 8:010
219.991(1)	902 KAR 7:010		811 KAR 1:135		811 KAR 1:130		804 KAR 8:020
	902 KAR 45:005		811 KAR 1:140	230.690(5)	811 KAR 1:015		804 KAR 8:030
	902 KAR 45:010		811 KAR 1:145	230.700	811 KAR 1:025		804 KAR 8:040
	902 KAR 15:010		811 KAR 1:150		811 KAR 1:070		804 KAR 8:050
219.991(2)	902 KAR 15:020		811 KAR 1:155		811 KAR 1:090	243.210	804 KAR 4:160
	902 KAR 10:020		811 KAR 1:160		811 KAR 1:180		804 KAR 8:030
Chapter 221	902 KAR 10:020		811 KAR 1:165	230.710	811 KAR 1:070		804 KAR 8:050
221.010-			811 KAR 1:170		811 KAR 1:125	243.220	804 KAR 7:040
221.110	902 KAR 45:010		811 KAR 1:175		811 KAR 1:180	243.240	804 KAR 7:050
221.990	902 KAR 45:010		811 KAR 1:180	230.720	811 KAR 1:015	243.260	804 KAR 4:060
222.210	902 KAR 20:085		811 KAR 1:185		811 KAR 1:095	243.280	804 KAR 7:040
	902 KAR 20:110		811 KAR 1:190		811 KAR 1:105		804 KAR 7:050
		230.630(2)	811 KAR 1:020		811 KAR 1:190	243.300	804 KAR 4:060
			811 KAR 1:150		811 KAR 1:105	243.320	804 KAR 4:070
					811 KAR 1:195	243.340	804 KAR 4:020
					806 KAR 50:050		804 KAR 5:010
					806 KAR 50:060	243.350	804 KAR 4:040

KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.
243.380	804 KAR 4:120	250.020-	12 KAR 1:095	Chapter 279	30 KAR 1:010	304.2-210-	
243.390	804 KAR 4:010	250.170	12 KAR 1:100		30 KAR 1:020	304.2-230	806 KAR 2:070
243.430	804 KAR 4:110		12 KAR 1:105	280.010-		304.2-330	806 KAR 2:080
	804 KAR 4:120	250.491-		280.130	603 KAR 5:060	304.3-070	806 KAR 3:110
243.480	804 KAR 7:020	250.631	12 KAR 2:006	280.320	702 KAR 5:110	304.3-120(2)	806 KAR 3:040
243.490(1)	804 KAR 3:100		12 KAR 2:011		705 KAR 5:030		806 KAR 3:050
243.500(7)	804 KAR 5:050		12 KAR 2:016	Chapter 281	601 KAR 1:005	304.3-140	806 KAR 3:060
243.520	804 KAR 4:150		12 KAR 2:021		601 KAR 1:030		806 KAR 3:090
243.540	804 KAR 4:090		12 KAR 2:026		601 KAR 1:035	304.3-150	806 KAR 24:010
243.550	804 KAR 6:010		12 KAR 2:031		601 KAR 1:040	304.3-240	806 KAR 3:020
243.720	103 KAR 40:030		12 KAR 2:036		601 KAR 1:045		806 KAR 3:070
	103 KAR 40:090		12 KAR 2:041		601 KAR 1:050	304.3-250	806 KAR 3:100
	103 KAR 40:100		12 KAR 2:046		601 KAR 1:060	304.4-010	806 KAR 2:030
243.760	103 KAR 40:030		12 KAR 2:051		601 KAR 1:065		806 KAR 14:005
243.850	103 KAR 40:050		12 KAR 2:056		601 KAR 1:070	304.5-010	806 KAR 5:030
244.030	804 KAR 1:050		12 KAR 2:061		601 KAR 1:075	304.5-080	806 KAR 5:040
	804 KAR 1:060		12 KAR 3:007		601 KAR 1:080	304.5-130	806 KAR 5:020
244.040	804 KAR 3:080		12 KAR 3:012		601 KAR 1:085	304.5-140	806 KAR 5:010
	804 KAR 3:090		12 KAR 3:017		601 KAR 1:090		806 KAR 5:020
244.080(1)	804 KAR 5:040		12 KAR 3:022		601 KAR 1:095	304.5-150	806 KAR 5:010
244.083	804 KAR 5:040		12 KAR 3:027		601 KAR 1:100	304.6-010	806 KAR 6:030
244.085	804 KAR 5:040		12 KAR 3:032		601 KAR 1:105		806 KAR 6:050
244.090	804 KAR 5:020		12 KAR 3:037		601 KAR 1:110	304.6-020	806 KAR 6:020
	804 KAR 5:030	250.670	302 KAR 77:020		601 KAR 1:115		
244.120	804 KAR 5:060	251.420-			601 KAR 1:120	304.6-130-	
244.130	804 KAR 1:010	251.510	302 KAR 35:010		601 KAR 2:010	304.6-180	806 KAR 6:010
	804 KAR 1:020		302 KAR 35:020		601 KAR 2:040	304.7-010-	
	804 KAR 1:030		302 KAR 35:030		601 KAR 9:060	304.7-350	806 KAR 7:020
	804 KAR 1:040		302 KAR 35:040	281.014	103 KAR 44:020	304.7-020	806 KAR 7:080
	804 KAR 1:080		302 KAR 35:050	Chapter 287	30 KAR 1:010	304.7-030	806 KAR 7:080
	804 KAR 2:005		302 KAR 20:010		30 KAR 1:020	304.7-040	806 KAR 7:030
	804 KAR 2:015	Chapter 257	302 KAR 20:020		30 KAR 1:010		806 KAR 7:080
	804 KAR 2:025		302 KAR 20:040	287.011	808 KAR 1:010	304.7-070	806 KAR 3:120
	804 KAR 3:070		302 KAR 20:050	287.050	808 KAR 1:030	304.7-130	806 KAR 7:050
244.140	804 KAR 1:010		302 KAR 20:060		808 KAR 1:040	304.7-220	806 KAR 7:060
	804 KAR 1:020		302 KAR 20:070	287.180	808 KAR 1:040	304.7-340	806 KAR 7:010
	804 KAR 2:005		302 KAR 20:080	287.280	808 KAR 1:020	304.7-350	806 KAR 7:070
244.150	103 KAR 40:010		302 KAR 20:090	287.290	808 KAR 1:020	304.8-040	806 KAR 8:010
244.240	804 KAR 5:010		302 KAR 20:100	287.300	808 KAR 1:020	304.8-120	806 KAR 8:010
	804 KAR 5:020		302 KAR 20:100	287.375	808 KAR 1:050		
244.260	804 KAR 12:010	257.010	302 KAR 20:030	Chapter 288	808 KAR 6:100	Chapter 304,	
244.290	804 KAR 7:030	257.020	302 KAR 20:030		808 KAR 6:105	Subtitle 9	806 KAR 9:020
244.340	804 KAR 12:010	257.030	302 KAR 20:030		808 KAR 6:115	304.9-030	806 KAR 5:030
244.380	804 KAR 3:010	257.110	302 KAR 20:030		808 KAR 6:120	304.9-040	806 KAR 9:160
	804 KAR 3:020	Chapter 258	302 KAR 5:010		808 KAR 6:125	304.9-070	806 KAR 9:030
	804 KAR 3:060		302 KAR 20:100	288.420	808 KAR 6:010	304.9-080	806 KAR 9:010
	804 KAR 3:070		902 KAR 2:070	288.460	808 KAR 6:010		806 KAR 9:160
244.380-		258.005	902 KAR 2:070		808 KAR 6:050	304.9-110	806 KAR 9:080
244.450	804 KAR 3:030	258.085	902 KAR 2:070		808 KAR 6:055		806 KAR 9:090
244.390(5)	804 KAR 3:050	258.105(1)	302 KAR 5:070	288.470	808 KAR 6:005	304.9-130	806 KAR 9:005
244.450	804 KAR 3:010	258.135	302 KAR 5:070		808 KAR 6:010	304.9-170	806 KAR 9:040
	804 KAR 3:020	258.195(1)	302 KAR 5:060	288.490	808 KAR 6:095		806 KAR 9:140
	804 KAR 3:060	258.275	302 KAR 5:030	288.515	808 KAR 6:055	304.9-190	806 KAR 9:070
	804 KAR 3:070	258.275(2)	302 KAR 5:020	288.520	808 KAR 6:055	304.9-200	806 KAR 9:010
	804 KAR 3:040	258.285(1)	302 KAR 5:050		808 KAR 6:060	304.9-210	806 KAR 9:130
244.460	804 KAR 11:010		302 KAR 5:060		808 KAR 6:065	304.9-280	806 KAR 9:100
244.500	804 KAR 2:005	258.295(2)	302 KAR 5:040		808 KAR 6:070	304.9-290	806 KAR 9:110
244.530	804 KAR 5:020	258.990(1)(2)	302 KAR 2:070		808 KAR 6:075	304.9-300	806 KAR 9:150
244.600	302 KAR 20:010	Chapter 260	302 KAR 10:010		808 KAR 6:080	304.9-320-	
Chapter 246	302 KAR 20:020	260.550	302 KAR 10:020		808 KAR 6:080	304.9-350	806 KAR 9:160
	302 KAR 20:030	260.580	302 KAR 10:040	288.530	808 KAR 6:020	304.9-390	806 KAR 9:010
246.210	302 KAR 20:030		302 KAR 10:050	288.580	808 KAR 6:090		806 KAR 9:050
246.220	302 KAR 15:020	260.610	302 KAR 10:090		808 KAR 6:115		806 KAR 9:060
246.250	302 KAR 15:030	260.620	302 KAR 10:060		808 KAR 6:120	304.9-430	806 KAR 9:030
	302 KAR 15:030		302 KAR 10:070		808 KAR 6:110		806 KAR 9:120
247.145	303 KAR 1:003		302 KAR 10:080	288.590	808 KAR 6:105		806 KAR 12:020
	303 KAR 1:005	260.640	302 KAR 10:030	288.600	808 KAR 6:005	Chapter 9-440	
	303 KAR 1:010	260.650	302 KAR 10:020	Chapter 289	30 KAR 1:010	Chapter 304,	
	303 KAR 1:015	260.675-			30 KAR 1:020	Subtitle 10	806 KAR 10:020
	303 KAR 1:025	260.760	302 KAR 25:005	289.031	808 KAR 1:040	304.10-070	806 KAR 10:010
	303 KAR 1:030		302 KAR 25:015	289.051	808 KAR 1:040	304.11-010-	
	303 KAR 1:040		302 KAR 25:025	Chapter 290	30 KAR 1:010	304.11-050	806 KAR 5:020
	303 KAR 1:050		302 KAR 25:035		30 KAR 1:020	304.12-010	806 KAR 12:010
	303 KAR 1:060		302 KAR 25:045	290.070	808 KAR 3:010		806 KAR 12:020
	303 KAR 1:070		302 KAR 25:055	Chapter 291	808 KAR 5:040	304.12-020	806 KAR 14:110
	303 KAR 1:080		302 KAR 25:065	291.440	808 KAR 5:010		806 KAR 12:020
	303 KAR 1:090		302 KAR 25:075		808 KAR 5:020	304.12-030	806 KAR 13:040
247.153	303 KAR 1:005		302 KAR 25:085	291.520(5)	808 KAR 5:005		806 KAR 12:030
247.154	303 KAR 1:010		302 KAR 25:095		808 KAR 5:020		806 KAR 12:050
	303 KAR 1:015	262.090	401 KAR 2:010	291.550	808 KAR 5:010		806 KAR 13:005
	302 KAR 15:010		401 KAR 2:020		808 KAR 5:020	304.12-040	806 KAR 12:020
247.220		Chapter 271A	30 KAR 1:010	291.590	808 KAR 5:030	304.12-060	806 KAR 12:010
247.510-			30 KAR 1:020	Chapter 292	808 KAR 10:010	304.12-080	806 KAR 13:040
247.595	302 KAR 1:010	271A.410	103 KAR 16:040		808 KAR 10:020	304.12-080-	
248.430-	302 KAR 77:010	271A.415	103 KAR 16:040		808 KAR 10:030	304.12-110	806 KAR 14:110
250.020-		271A.420	103 KAR 16:040		808 KAR 10:040	304.12-090	806 KAR 13:040
250.170	12 KAR 1:005	271A.425	103 KAR 16:040		808 KAR 10:050	304.12-110	806 KAR 12:020
	12 KAR 1:010	271A.465	103 KAR 16:040		808 KAR 10:060	304.12-120	806 KAR 12:010
	12 KAR 1:015	271A.515	103 KAR 16:040		808 KAR 10:070	304.12-130	806 KAR 9:020
	12 KAR 1:020	271A.590	103 KAR 16:040		808 KAR 10:080		806 KAR 12:020
	12 KAR 1:025		30 KAR 1:010		808 KAR 10:090	304.12-190	806 KAR 17:010
	12 KAR 1:030	Chapter 272	30 KAR 1:020		808 KAR 10:100	304.13-010-	
	12 KAR 1:035		30 KAR 1:020		808 KAR 10:110	304.13-390	806 KAR 14:110
	12 KAR 1:040	Chapter 273	30 KAR 1:010		808 KAR 10:120	304.13-030	806 KAR 13:040
	12 KAR 1:045		30 KAR 1:020		808 KAR 10:130		806 KAR 13:090
	12 KAR 1:050	Chapter 274	30 KAR 1:010		808 KAR 10:140	304.13-050	806 KAR 13:010
	12 KAR 1:055		30 KAR 1:020	Chapter 304	30 KAR 1:010	304.13-060	806 KAR 13:015
	12 KAR 1:060	Chapter 278	807 KAR 1:010		30 KAR 1:020	304.13-090	806 KAR 14:070
	12 KAR 1:065		807 KAR 2:010		806 KAR 2:010	304.13-100	806 KAR 13:020
	12 KAR 1:070		807 KAR 2:020	304.2-040	806 KAR 2:020	304.13-200	806 KAR 13:030
	12 KAR 1:075		807 KAR 2:025	304.2-080	806 KAR 2:030	304.13-250	806 KAR 13:050
	12 KAR 1:080		807 KAR 2:030	304.2-110	806 KAR 2:040	304.13-270(4)	806 KAR 13:060
	12 KAR 1:085		807 KAR 2:040	304.2-150	806 KAR 2:050	304.13-290	806 KAR 13:070
	12 KAR 1:090		807 KAR 2:050	304.2-160	806 KAR 2:050	304.13-310	806 KAR 13:080
			807 KAR 3:010	304.2-180	806 KAR 3:020	304.13-320	806 KAR 2:070
						304.13-330	806 KAR 13:005

ADMINISTRATIVE REGISTER

KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.	KRS Section	Regulation No.
Chapter 304, Subtitle 14	806 KAR 14:090	311.990	201 KAR 9:010	317.440	201 KAR 14:085	322.120	201 KAR 18:060
804.14-030	806 KAR 14:080		201 KAR 9:020		201 KAR 14:090		201 KAR 18:080
304.14-040	806 KAR 12:040		201 KAR 9:030		201 KAR 14:095	322.130	201 KAR 18:080
	806 KAR 14:040		201 KAR 9:040		201 KAR 14:100		201 KAR 18:090
304.14-060	806 KAR 14:070		201 KAR 9:050		201 KAR 14:105	322.140	201 KAR 18:040
304.14-120	806 KAR 14:005		201 KAR 9:060		201 KAR 14:110		201 KAR 18:080
	806 KAR 14:060		201 KAR 9:070		201 KAR 14:115	322.150	201 KAR 18:040
	806 KAR 14:070		201 KAR 9:080		201 KAR 14:120		201 KAR 18:080
	806 KAR 14:100		201 KAR 9:090		201 KAR 14:125		201 KAR 18:110
	806 KAR 14:110	313.020	201 KAR 8:120		201 KAR 14:130	322.160	201 KAR 18:040
	806 KAR 17:020	313.040	201 KAR 8:150		201 KAR 14:135		201 KAR 18:080
			201 KAR 8:160		201 KAR 14:140		201 KAR 18:110
304.14-120-			201 KAR 8:170		201 KAR 14:145	322.170	201 KAR 18:080
304.14-180	806 KAR 12:020		201 KAR 8:180		201 KAR 14:160		201 KAR 18:120
304.14-170	806 KAR 14:010		201 KAR 8:185		201 KAR 14:165	322.180	201 KAR 18:130
	806 KAR 14:070	313.050	201 KAR 8:190		201 KAR 14:080	322.190	201 KAR 18:130
304.14-180	806 KAR 14:050		201 KAR 8:200	317.440(1) (c)	201 KAR 14:015	322.200	201 KAR 18:130
304.14-190	806 KAR 14:005		201 KAR 8:210	317.450	201 KAR 14:030	322.210	201 KAR 18:060
304.14-220	806 KAR 14:020		201 KAR 8:220		201 KAR 14:035		201 KAR 18:130
304.14-290	806 KAR 14:030		201 KAR 8:250		201 KAR 14:040	322.220	201 KAR 18:080
304.15-020	806 KAR 15:020		201 KAR 8:140E		201 KAR 14:055		201 KAR 18:130
304.15-100	806 KAR 6:040		201 KAR 8:140		201 KAR 14:060	322.250	201 KAR 18:130
304.15-390	806 KAR 15:010		201 KAR 8:230		201 KAR 14:065	322.300	201 KAR 18:020
304.16-040	806 KAR 19:020		201 KAR 8:240		201 KAR 14:075		201 KAR 18:060
Chapter 304, Subtitle 17	806 KAR 17:010		201 KAR 8:010		201 KAR 14:100		201 KAR 18:080
304.17-030	806 KAR 17:030		201 KAR 8:050		201 KAR 14:120	322.320	201 KAR 18:130
304.19-020	806 KAR 19:060		201 KAR 8:060		201 KAR 14:140	322.330	201 KAR 18:110
304.19-040	806 KAR 19:010		201 KAR 8:070		201 KAR 14:150	322.340	201 KAR 18:100
304.19-060	806 KAR 19:040		201 KAR 8:080		201 KAR 14:155	322.360	702 KAR 4:030
304.19-070	806 KAR 19:020		201 KAR 8:090		201 KAR 14:080	322.400	201 KAR 18:100
	806 KAR 19:040		201 KAR 8:100		201 KAR 14:050	322.420	201 KAR 18:020
304.19-080	806 KAR 19:010		201 KAR 8:110		317.450(2)		201 KAR 18:040
	806 KAR 19:050	313.210	201 KAR 8:020		317.450(3)		201 KAR 18:080
	806 KAR 19:060		201 KAR 8:030		317.450(4) (c)		201 KAR 18:110
304.19-090	806 KAR 19:010		201 KAR 8:035		201 KAR 14:010		201 KAR 18:130
	806 KAR 19:030		201 KAR 8:040		201 KAR 14:020	322.430	201 KAR 18:130
304.19-120	806 KAR 19:050		201 KAR 8:130		317.540(1) (a)	322.440	201 KAR 18:100
304.24-250	806 KAR 14:110	313.220	201 KAR 8:135		317.540(3)	323A.010	201 KAR 10:030
304.24-290	806 KAR 2:070	313.220(4)	201 KAR 8:330		317.580	323A.020	201 KAR 10:060
304.24-310	806 KAR 14:110	313.260	201 KAR 8:270		317A.010		201 KAR 10:030
304.24-320	806 KAR 14:110	313.270	201 KAR 8:277		201 KAR 12:020	323A.040	201 KAR 10:030
304.24-330	806 KAR 14:110		201 KAR 8:290		201 KAR 12:030		201 KAR 10:040
304.24-410	806 KAR 24:020		201 KAR 8:320		201 KAR 12:030	323A.050	201 KAR 10:040
304.24-420	806 KAR 5:020		201 KAR 8:260		201 KAR 12:080	323A.060	201 KAR 10:050
304.26-020-		313.300	201 KAR 8:310		201 KAR 12:010		201 KAR 10:060
304.26-080	806 KAR 26:020	313.300(3)	201 KAR 8:300	317A.030	201 KAR 12:040	323A.070	201 KAR 10:040
304.26-050	806 KAR 26:010	313.307	201 KAR 8:280		201 KAR 12:080	323A.080	201 KAR 10:030
304.26-090	806 KAR 24:010	313.330	201 KAR 8:340		201 KAR 12:010		201 KAR 10:070
304.30-020	806 KAR 30:030	313.430		317A.040	201 KAR 12:080	323A.100	201 KAR 10:030
	806 KAR 34:050	313.430(1)			201 KAR 12:020		201 KAR 10:050
304.30-030	806 KAR 30:010	(b) 1.	201 KAR 8:345	317A.050	201 KAR 12:060		201 KAR 10:060
304.30-050	806 KAR 30:020	313.430(2)	201 KAR 8:350		201 KAR 12:080	323A.110	201 KAR 10:020
	806 KAR 30:040	313.440(2)	201 KAR 2:020	317A.060	201 KAR 12:030		201 KAR 10:030
	806 KAR 30:050	Chapter 315	201 KAR 2:030		201 KAR 12:040		201 KAR 10:070
304.30-060	806 KAR 30:070		201 KAR 2:040		201 KAR 12:060	323A.120	201 KAR 10:020
304.30-080	806 KAR 30:060		201 KAR 2:050	317A.100	201 KAR 12:020		201 KAR 10:030
304.30-120	806 KAR 30:060		201 KAR 2:055		201 KAR 12:050	323A.130	201 KAR 10:020
304.34-020	806 KAR 34:010		201 KAR 2:060	Chapter 318	401 KAR 1:010	323A.140	201 KAR 10:020
304.34-020(2)	806 KAR 34:055		201 KAR 2:070		401 KAR 1:015	323A.210	201 KAR 10:010
304.34-030	806 KAR 34:005		201 KAR 2:080		401 KAR 1:020		201 KAR 10:030
304.34-040	806 KAR 34:020		201 KAR 2:090		401 KAR 1:030	324.020	201 KAR 11:060
	806 KAR 34:030		201 KAR 2:095		401 KAR 1:040	324.040	201 KAR 11:010
	806 KAR 34:040		201 KAR 2:100		401 KAR 1:050		201 KAR 11:120
304.34-060(2)	806 KAR 34:070	315.050	201 KAR 2:010		401 KAR 1:060		201 KAR 11:125
304.34-070	806 KAR 34:065	316.010	201 KAR 15:010		401 KAR 1:070	324.045	201 KAR 11:005
304.34-070(1)	806 KAR 34:060	316.040	201 KAR 15:010		401 KAR 1:080		201 KAR 11:015
304.34-070(2)	806 KAR 34:060		201 KAR 15:030		401 KAR 1:090		201 KAR 11:070
304.34-070(3)	806 KAR 34:060	316.050	201 KAR 15:040		401 KAR 1:100		201 KAR 11:130
304.34-070(4)	806 KAR 34:060		201 KAR 15:040		401 KAR 1:110		201 KAR 11:135
304.34-080	806 KAR 34:005	316.070	201 KAR 15:010		401 KAR 1:120		201 KAR 11:150
304.38-040	806 KAR 38:040	316.090	201 KAR 15:050		401 KAR 1:130		201 KAR 11:155
304.38-050	806 KAR 38:030		201 KAR 15:060		401 KAR 1:140	324.050	201 KAR 11:020
304.38-060	806 KAR 38:010	316.130	201 KAR 15:070		401 KAR 1:150	324.090	201 KAR 11:025
304.38-070	806 KAR 38:050		201 KAR 15:080		201 KAR 5:010	324.110	201 KAR 11:140
304.38-110	806 KAR 38:020	316.150	201 KAR 15:020	320.220	201 KAR 5:010	324.115	201 KAR 11:055
304.38-160	806 KAR 38:030	316.210		320.270	201 KAR 5:010		201 KAR 11:070
304.38-180(1)	806 KAR 38:030	316.310-		320.280	201 KAR 5:030	324.160	201 KAR 11:040
304.39-020(7)	806 KAR 39:010	316.370	808 KAR 2:025	320.310(1) (f)	201 KAR 5:040		201 KAR 11:045
304.39-020		317.410	201 KAR 14:030	320.310(3)	201 KAR 5:050		201 KAR 11:050
(12)	806 KAR 39:050		201 KAR 14:035	321.220	201 KAR 16:020		201 KAR 11:065
304.39-050(1)	806 KAR 39:020		201 KAR 14:075	321.260	201 KAR 16:020		201 KAR 11:075
304.39-060	806 KAR 39:030		201 KAR 14:085		201 KAR 16:030		201 KAR 11:080
304.39-080	806 KAR 39:040		201 KAR 14:090	321.330	201 KAR 16:030		201 KAR 11:085
	806 KAR 39:050		201 KAR 14:100	321.350(6)	201 KAR 16:010		201 KAR 11:090
304.39-170	806 KAR 39:050		201 KAR 14:105	321.350(7)	201 KAR 16:010		201 KAR 11:095
304.39-290	806 KAR 39:050		201 KAR 14:110	322.040	201 KAR 18:010		201 KAR 11:100
307.010	808 KAR 2:015		201 KAR 14:115		201 KAR 18:030		201 KAR 11:105
307.020	808 KAR 2:015		201 KAR 14:120		201 KAR 18:040		201 KAR 11:110
307.030	808 KAR 2:015		201 KAR 14:130		201 KAR 18:050		201 KAR 11:115
	808 KAR 2:025		201 KAR 14:150		201 KAR 18:070		201 KAR 11:130
311.530-			201 KAR 14:155		201 KAR 18:060	324.170	201 KAR 11:035
311.620	201 KAR 9:010	317.420	201 KAR 14:160		201 KAR 18:020	324.281	201 KAR 11:160
	201 KAR 9:020		201 KAR 14:015		201 KAR 18:070	324.310	201 KAR 11:145
	201 KAR 9:030		201 KAR 14:075		201 KAR 18:040	324.330	201 KAR 11:030
	201 KAR 9:040		201 KAR 14:120		201 KAR 18:070	325.080	201 KAR 1:050
	201 KAR 9:050	317.440	201 KAR 14:010		201 KAR 18:040		201 KAR 1:055
	201 KAR 9:060		201 KAR 14:020		201 KAR 18:040		201 KAR 1:060
	201 KAR 9:070		201 KAR 14:025		201 KAR 18:050	325.230	201 KAR 1:005
	201 KAR 9:080		201 KAR 14:040		201 KAR 18:080		201 KAR 1:010
	201 KAR 9:090		201 KAR 14:045		201 KAR 18:010		201 KAR 1:015
			201 KAR 14:065		201 KAR 18:030		201 KAR 1:020
			201 KAR 14:075		201 KAR 18:040		201 KAR 1:025
					201 KAR 18:050		201 KAR 1:030

List of Regulations And Effective Dates

KRS Section	Regulation No.
325.240	201 KAR 1:005
	201 KAR 1:010
	201 KAR 1:015
	201 KAR 1:020
	201 KAR 1:025
	201 KAR 1:030
325.261	201 KAR 1:050
	201 KAR 1:055
	201 KAR 1:060
325.265	201 KAR 1:035
	201 KAR 1:045
	201 KAR 1:060
	201 KAR 1:120
325.270	201 KAR 1:040
	201 KAR 1:045
	201 KAR 1:060
	201 KAR 1:120
325.300	201 KAR 1:075
325.320	201 KAR 1:075
325.330	201 KAR 1:065
	201 KAR 1:075
325.340	201 KAR 1:095
325.340(10)	201 KAR 1:070
325.370	201 KAR 1:070
325.380	201 KAR 1:085
	201 KAR 1:095
325.390	201 KAR 1:090
326.020	201 KAR 13:010
	201 KAR 13:020
	201 KAR 13:030
	201 KAR 13:040
	201 KAR 13:050
	201 KAR 13:060
	201 KAR 13:070
330.020	201 KAR 3:060
330.040	201 KAR 3:060
330.070	201 KAR 3:010
	201 KAR 3:020
	201 KAR 3:040
330.095	201 KAR 3:030
330.110	201 KAR 3:050
331.010	201 KAR 4:020
	201 KAR 4:030
	201 KAR 4:040
	201 KAR 4:060
331.040(3)(7)	201 KAR 4:020
	201 KAR 4:030
	201 KAR 4:040
	201 KAR 4:060
331.050(3)	201 KAR 4:040
331.050(4)	201 KAR 4:020
332.010	502 KAR 10:010
332.030	502 KAR 10:030
	502 KAR 10:070
332.060	502 KAR 10:080
332.100	502 KAR 10:020
	502 KAR 10:050
	502 KAR 10:060
334.090	201 KAR 7:122
	201 KAR 7:125
334.150	201 KAR 7:052
334A.020	201 KAR 17:050
	201 KAR 17:060
334A.030	201 KAR 17:010
334A.060	201 KAR 17:020
334A.130	201 KAR 17:010
334A.160	201 KAR 17:030
334A.170	201 KAR 17:030
334A.180	201 KAR 17:040
336.510-	
336.680	803 KAR 4:010
337.275	803 KAR 1:005
	803 KAR 1:065
	803 KAR 1:066
	803 KAR 1:070
	803 KAR 1:075
	803 KAR 1:080
	803 KAR 1:090
337.285	803 KAR 1:005
	803 KAR 1:060
	803 KAR 1:065
	803 KAR 1:066
	803 KAR 1:070
	803 KAR 1:075
	803 KAR 1:080
	803 KAR 1:090
337.505-	
337.550	803 KAR 1:020
	803 KAR 1:030
	803 KAR 1:040
	803 KAR 1:050
	803 KAR 1:085
	803 KAR 1:045
337.530	803 KAR 2:020E
Chapter 338	803 KAR 2:020
	803 KAR 2:030E
	803 KAR 2:140
	803 KAR 2:160
	803 KAR 50:010
	807 KAR 3:010
338.015	803 KAR 2:040
338.021	803 KAR 2:050

KRS Section	Regulation No.
338.051	803 KAR 2:010
	803 KAR 2:110
338.101	803 KAR 2:070
	803 KAR 2:130
338.121	803 KAR 2:090
338.121(3)(b)	803 KAR 2:150
338.131	803 KAR 2:100
338.141	803 KAR 2:115
	803 KAR 2:120
338.153	803 KAR 2:170
338.161	803 KAR 2:060
	803 KAR 2:125
	803 KAR 2:180
	803 KAR 2:095
338.171	803 KAR 2:115
338.991	803 KAR 2:115
338.991(9)	803 KAR 2:080
339.210-	
339.450	803 KAR 1:100
339.430	705 KAR 5:060
Chapter 340	903 KAR 1:010
Chapter 342	803 KAR 25:010
342.040	803 KAR 25:050
342.120	803 KAR 25:030
342.143	803 KAR 25:040
342.316	803 KAR 25:030
342.340	803 KAR 25:020
342.345	803 KAR 25:020
342.990	803 KAR 25:050
Chapter 343	803 KAR 1:010
Chapter 344	104 KAR 1:010
	104 KAR 1:020
	104 KAR 1:030
	104 KAR 1:040
	104 KAR 1:050
	104 KAR 1:060
Chapter 350	402 KAR 1:025
	402 KAR 1:030
	402 KAR 1:035
	402 KAR 1:040
	402 KAR 1:045
	402 KAR 1:050
	402 KAR 1:055
	402 KAR 1:060
350.151	402 KAR 1:010
351.070	805 KAR 3:010
	805 KAR 3:020
	805 KAR 3:030
	805 KAR 3:040
	805 KAR 3:050
	805 KAR 3:060
	805 KAR 3:070
	805 KAR 3:080
	805 KAR 3:090
	805 KAR 3:100
	805 KAR 3:110
	805 KAR 3:120
351.320	805 KAR 4:010
	805 KAR 4:020
	805 KAR 4:030
	805 KAR 4:040
	805 KAR 4:050
	805 KAR 4:060
351.330	805 KAR 4:010
	805 KAR 4:020
	805 KAR 4:030
	805 KAR 4:040
	805 KAR 4:050
	805 KAR 4:060
351.340	805 KAR 4:010
	805 KAR 4:020
	805 KAR 4:030
	805 KAR 4:040
	805 KAR 4:050
	805 KAR 4:060
	805 KAR 4:070
	805 KAR 4:080
	805 KAR 4:090
	805 KAR 4:100
	805 KAR 4:110
	805 KAR 4:120
	805 KAR 4:130
	805 KAR 4:140
	805 KAR 4:150
	805 KAR 4:160
	805 KAR 4:170
	805 KAR 4:180
	805 KAR 4:190
	805 KAR 4:200
	805 KAR 4:210
	805 KAR 4:220
	805 KAR 4:230
	805 KAR 4:240
	805 KAR 4:250
	805 KAR 4:260
	805 KAR 4:270
	805 KAR 4:280
	805 KAR 4:290
	805 KAR 4:300
	805 KAR 4:310
	805 KAR 4:320
	805 KAR 4:330
	805 KAR 4:340
	805 KAR 4:350
	805 KAR 4:360
	805 KAR 4:370
	805 KAR 4:380
	805 KAR 4:390
	805 KAR 4:400
	805 KAR 4:410
	805 KAR 4:420
	805 KAR 4:430
	805 KAR 4:440
	805 KAR 4:450
	805 KAR 4:460
	805 KAR 4:470
	805 KAR 4:480
	805 KAR 4:490
	805 KAR 4:500
	805 KAR 4:510
	805 KAR 4:520
	805 KAR 4:530
	805 KAR 4:540
	805 KAR 4:550
	805 KAR 4:560
	805 KAR 4:570
	805 KAR 4:580
	805 KAR 4:590
	805 KAR 4:600
	805 KAR 4:610
	805 KAR 4:620
	805 KAR 4:630
	805 KAR 4:640
	805 KAR 4:650
	805 KAR 4:660
	805 KAR 4:670
	805 KAR 4:680
	805 KAR 4:690
	805 KAR 4:700
	805 KAR 4:710
	805 KAR 4:720
	805 KAR 4:730
	805 KAR 4:740
	805 KAR 4:750
	805 KAR 4:760
	805 KAR 4:770
	805 KAR 4:780
	805 KAR 4:790
	805 KAR 4:800
	805 KAR 4:810
	805 KAR 4:820
	805 KAR 4:830
	805 KAR 4:840
	805 KAR 4:850
	805 KAR 4:860
	805 KAR 4:870
	805 KAR 4:880
	805 KAR 4:890
	805 KAR 4:900
	805 KAR 4:910
	805 KAR 4:920
	805 KAR 4:930
	805 KAR 4:940
	805 KAR 4:950
	805 KAR 4:960
	805 KAR 4:970
	805 KAR 4:980
	805 KAR 4:990
	805 KAR 5:000
	805 KAR 5:010
	805 KAR 5:020
	805 KAR 5:030
	805 KAR 5:040
	805 KAR 5:050
	805 KAR 5:060
	805 KAR 5:070
	805 KAR 5:080
	805 KAR 5:090
	805 KAR 5:100
	805 KAR 5:110
	805 KAR 5:120
	805 KAR 5:130
	805 KAR 5:140
	805 KAR 5:150
	805 KAR 5:160
	805 KAR 5:170
	805 KAR 5:180
	805 KAR 5:190
	805 KAR 5:200
	805 KAR 5:210
	805 KAR 5:220
	805 KAR 5:230
	805 KAR 5:240
	805 KAR 5:250
	805 KAR 5:260
	805 KAR 5:270
	805 KAR 5:280
	805 KAR 5:290
	805 KAR 5:300
	805 KAR 5:310
	805 KAR 5:320
	805 KAR 5:330
	805 KAR 5:340
	805 KAR 5:350
	805 KAR 5:360
	805 KAR 5:370
	805 KAR 5:380
	805 KAR 5:390
	805 KAR 5:400
	805 KAR 5:410
	805 KAR 5:420
	805 KAR 5:430
	805 KAR 5:440
	805 KAR 5:450
	805 KAR 5:460
	805 KAR 5:470
	805 KAR 5:480
	805 KAR 5:490
	805 KAR 5:500
	805 KAR 5:510
	805 KAR 5:520
	805 KAR 5:530
	805 KAR 5:540
	805 KAR 5:550
	805 KAR 5:560
	805 KAR 5:570
	805 KAR 5:580
	805 KAR 5:590
	805 KAR 5:600
	805 KAR 5:610
	805 KAR 5:620
	805 KAR 5:630
	805 KAR 5:640
	805 KAR 5:650
	805 KAR 5:660
	805 KAR 5:670
	805 KAR 5:680
	805 KAR 5:690
	805 KAR 5:700
	805 KAR 5:710
	805 KAR 5:720
	805 KAR 5:730
	805 KAR 5:740
	805 KAR 5:750
	805 KAR 5:760
	805 KAR 5:770
	805 KAR 5:780
	805 KAR 5:790
	805 KAR 5:800
	805 KAR 5:810
	805 KAR 5:820
	805 KAR 5:830
	805 KAR 5:840
	805 KAR 5:850
	805 KAR 5:860
	805 KAR 5:870
	805 KAR 5:880
	805 KAR 5:890
	805 KAR 5:900
	805 KAR 5:910
	805 KAR 5:920
	805 KAR 5:930
	805 KAR 5:940
	805 KAR 5:950
	805 KAR 5:960
	805 KAR 5:970
	805 KAR 5:980
	805 KAR 5:990
	805 KAR 6:000
	805 KAR 6:010
	805 KAR 6:020
	805 KAR 6:030
	805 KAR 6:040
	805 KAR 6:050
	805 KAR 6:060
	805 KAR 6:070
	805 KAR 6:080
	805 KAR 6:090
	805 KAR 6:100
	805 KAR 6:110
	805 KAR 6:120
	805 KAR 6:130
	805 KAR 6:140
	805 KAR 6:150
	805 KAR 6:160
	805 KAR 6:170
	805 KAR 6:180
	805 KAR 6:190
	805 KAR 6:200
	805 KAR 6:210
	805 KAR 6:220
	805 KAR 6:230
	805 KAR 6:240
	805 KAR 6:250
	805 KAR 6:260
	805 KAR 6:270
	805 KAR 6:280
	805 KAR 6:290
	805 KAR 6:300
	805 KAR 6:310
	805 KAR 6:320
	805 KAR 6:330
	805 KAR 6:340
	805 KAR 6:350
	805 KAR 6:360
	805 KAR 6:370
	805 KAR 6:380
	805 KAR 6:390
	805 KAR 6:400
	805 KAR 6:410
	805 KAR 6:420
	805 KAR 6:430
	805 KAR 6:440
	805 KAR 6:450
	805 KAR 6:460
	805 KAR 6:470
	805 KAR 6:480
	805 KAR 6:490
	805 KAR 6:500
	805 KAR 6:510
	805 KAR 6:520
	805 KAR 6:530
	805 KAR 6:540
	805 KAR 6:550
	805 KAR 6:560
	805 KAR 6:570
	805 KAR 6:580
	805 KAR 6:590
	805 KAR 6:600
	805 KAR 6:610
	805 KAR 6:620
	805 KAR 6:630
	805 KAR 6:640
	805 KAR 6:650
	805 KAR 6:660
	805 KAR 6:670
	805 KAR 6:680
	805 KAR 6:690
	805 KAR 6:700
	805 KAR 6:710
	805 KAR 6:720
	805 KAR 6:730
	805 KAR 6:740
	805 KAR 6:750
	805 KAR 6:760
	805 KAR 6:770
	805 KAR 6:780
	805 KAR 6:790
	805 KAR 6:800
	805 KAR 6:810
	805 KAR 6:820
	805 KAR 6:830
	805 KAR 6:840
	805 KAR 6:850
	805 KAR 6:860
	805 KAR 6:870
	805 KAR 6:880
	805 KAR 6:890
	805 KAR 6:900
	805 KAR 6:910
	805 KAR 6:920
	805 KAR 6:930
	805 KAR 6:940
	805 KAR 6:950
	805 KAR 6:960
	805 KAR 6:970
	805 KAR 6:980
	805 KAR 6:990
	805 KAR 7:000
	805 KAR 7:010
	805 KAR 7:020
	805 KAR 7:030
	805 KAR 7:040
	805 KAR 7:050
	805 KAR 7:060
	805 KAR 7:070
	805 KAR 7:080
	805 KAR 7:090
	805 KAR 7:100

ADMINISTRATIVE REGISTER

Regulation	1 Ky. R. Page No.	Effective Date	Regulation	1 Ky. R. Page No.	Effective Date
102 KAR 1:038	461	Effective March 12, 1975.	103 KAR 26:020	144	Effective December 11, 1974.
102 KAR 1:039	461	Effective March 12, 1975.	103 KAR 26:030	144	Effective December 11, 1974.
102 KAR 1:040	461	Effective March 12, 1975.	103 KAR 26:040	465	Effective March 12, 1975.
102 KAR 1:045	135	Effective December 11, 1974.	103 KAR 26:050	229	Effective January 8, 1975.
102 KAR 1:050	135	Effective December 11, 1974.	103 KAR 26:060	229	Effective January 8, 1975.
102 KAR 1:055	135	Effective December 11, 1974.	103 KAR 26:070	703	
102 KAR 1:060	136	Effective December 11, 1974.	103 KAR 26:080	229	Effective January 8, 1975.
102 KAR 1:070	136	Effective December 11, 1974.	103 KAR 26:090	229	Effective January 8, 1975.
102 KAR 1:100	136	Effective December 11, 1974.	103 KAR 26:100	229	Effective January 8, 1975.
102 KAR 1:110	461	Effective March 12, 1975.	103 KAR 27:010	465	Effective March 12, 1975.
102 KAR 1:115	462	Effective March 12, 1975.	103 KAR 27:020	230	Effective January 8, 1975.
102 KAR 1:120	136	Effective December 11, 1974.	103 KAR 27:030	144	Effective December 11, 1974.
102 KAR 1:125	137	Effective December 11, 1974.	103 KAR 27:040	230	Effective January 8, 1975.
102 KAR 1:130	137	Effective December 11, 1974.	103 KAR 27:050	145	Effective December 11, 1974.
102 KAR 1:135	462	Effective March 12, 1975.	103 KAR 27:060	466	Effective March 12, 1975.
102 KAR 1:140	462	Effective March 12, 1975.	103 KAR 27:070	230	Effective January 8, 1975.
102 KAR 1:145	462	Effective March 12, 1975.	103 KAR 27:080	230	Effective January 8, 1975.
102 KAR 1:150	463	Effective March 12, 1975.	103 KAR 27:090	230	Effective March 12, 1975.
102 KAR 1:155	463	Effective March 12, 1975.	103 KAR 27:100	466	Effective March 12, 1975.
102 KAR 1:160	463	Effective March 12, 1975.	103 KAR 27:120	230	Effective January 8, 1975.
102 KAR 1:165	463	Effective March 12, 1975.	103 KAR 27:130	704	
102 KAR 1:175	464	Effective March 12, 1975.	103 KAR 27:140	145	Effective December 11, 1974.
102 KAR 1:180	464	Effective March 12, 1975.	103 KAR 27:150	466	Effective March 12, 1975.
102 KAR 1:185	590	Effective April 9, 1975.	103 KAR 27:170	145	Effective December 11, 1974.
102 KAR 2:010	464	Effective March 12, 1975.	103 KAR 27:180	466	Effective March 12, 1975.
103 KAR 1:010	137	Effective December 11, 1974.	103 KAR 28:010	467	Effective March 12, 1975.
Amended	324	Effective December 11, 1974.	103 KAR 28:020	230	Effective January 8, 1975.
103 KAR 5:010	1003		103 KAR 28:030	704	
103 KAR 5:020	1003		103 KAR 28:040	230	Effective January 8, 1975.
103 KAR 5:050	1004		103 KAR 28:050	467	Effective March 12, 1975.
103 KAR 5:070	1004		103 KAR 28:060	231	Effective January 8, 1975.
103 KAR 5:080	1005		103 KAR 28:070	231	Effective January 8, 1975.
103 KAR 5:090	1005		103 KAR 28:080	704	
103 KAR 5:110	1005		103 KAR 28:090	468	Effective March 12, 1975.
103 KAR 5:120	1005		103 KAR 28:100	468	Effective March 12, 1975.
103 KAR 7:010	1006		103 KAR 28:110	705	
103 KAR 7:030	1006		103 KAR 28:120	468	Effective March 12, 1975.
103 KAR 7:040	1006		103 KAR 28:130	231	Effective January 8, 1975.
103 KAR 7:050	1006		103 KAR 30:010	705	
103 KAR 8:010	1007		103 KAR 30:020	145	Effective December 11, 1974.
103 KAR 8:020	1007		103 KAR 30:030	468	Effective March 12, 1975.
103 KAR 8:030	1007		103 KAR 30:040	469	Effective March 12, 1975.
103 KAR 8:040	1007		103 KAR 30:050	231	Effective January 8, 1975.
103 KAR 8:050	1007		103 KAR 30:060	146	
103 KAR 8:060	1007		Amended	324	Effective December 11, 1974.
103 KAR 8:070	1008		103 KAR 30:070	231	Effective January 8, 1975.
103 KAR 8:090	1008		103 KAR 30:080	232	Effective January 8, 1975.
103 KAR 15:030	701		103 KAR 30:090	705	
103 KAR 15:040	327	Effective February 5, 1975.	103 KAR 30:100	232	
103 KAR 15:050	328	Effective February 5, 1975.	Amended	971	
103 KAR 15:060	328	Effective February 5, 1975.	103 KAR 30:120	469	Effective March 12, 1975.
103 KAR 16:010	138	Effective December 11, 1974.	103 KAR 30:130	469	Effective March 12, 1975.
103 KAR 16:030	138	Effective December 11, 1974.	103 KAR 30:140	706	
103 KAR 16:040	701		103 KAR 30:150	232	
103 KAR 16:050	138	Effective December 11, 1974.	103 KAR 30:160	232	Effective January 8, 1975.
103 KAR 16:060	138	Effective December 11, 1974.	103 KAR 30:170	706	
103 KAR 16:070	140	Effective December 11, 1974.	103 KAR 30:180	707	
103 KAR 16:080	141	Effective December 11, 1974.	103 KAR 30:190	707	
103 KAR 16:090	143	Effective December 11, 1974.	103 KAR 30:200	708	
103 KAR 16:100	224	Effective January 8, 1975.	103 KAR 30:220E	583	Effective January 30, 1975; Expires May 30, 1975.
103 KAR 16:110	224	Effective January 8, 1975.	103 KAR 30:220	590	
103 KAR 16:120	224	Effective January 8, 1975.	103 KAR 31:010	708	
103 KAR 16:130	224	Effective January 8, 1975.	103 KAR 31:020	232	Effective January 8, 1975.
103 KAR 16:140	701		103 KAR 31:030	470	Effective March 12, 1975.
103 KAR 16:150	225	Effective January 8, 1975.	103 KAR 31:040	233	Effective January 8, 1975.
103 KAR 16:160	225	Effective January 8, 1975.	103 KAR 31:050	233	Effective January 8, 1975.
103 KAR 17:010	323	Effective February 5, 1975.	103 KAR 31:060	233	Effective January 8, 1975.
103 KAR 17:020	225	Effective January 8, 1975.	103 KAR 31:070	233	Effective January 8, 1975.
103 KAR 17:030	226	Effective January 8, 1975.	103 KAR 31:080	470	Effective March 12, 1975.
103 KAR 17:040	226	Effective January 8, 1975.	103 KAR 31:090	233	Effective January 8, 1975.
103 KAR 17:050	226	Effective January 8, 1975.	103 KAR 31:100	234	Effective January 8, 1975.
103 KAR 17:060	226	Effective January 8, 1975.	103 KAR 31:110	146	Effective December 11, 1974.
103 KAR 17:070	329	Effective February 5, 1975.	103 KAR 31:120	234	Effective January 8, 1975.
103 KAR 17:080	225	Effective January 8, 1975.	103 KAR 31:140	708	
103 KAR 17:090	227	Effective January 8, 1975.	103 KAR 31:150	234	Effective January 8, 1975.
103 KAR 17:100	227	Effective January 8, 1975.	103 KAR 33:010	709	
103 KAR 18:010	329	Effective February 5, 1975.	103 KAR 40:010	709	
103 KAR 18:020	227	Effective January 8, 1975.	103 KAR 40:030	332	Effective February 5, 1975.
103 KAR 18:030	228	Effective January 8, 1975.	103 KAR 40:050	709	
103 KAR 18:040	329	Effective February 5, 1975.	103 KAR 40:090	332	Effective February 5, 1975.
103 KAR 18:050	329		103 KAR 40:100	709	
Amended	585	Effective February 5, 1975.	103 KAR 41:020	710	
103 KAR 18:060	330	Effective February 5, 1975.	103 KAR 41:030	333	Effective February 5, 1975.
103 KAR 18:070	330	Effective February 5, 1975.	103 KAR 41:040	710	
103 KAR 18:080	330	Effective February 5, 1975.	103 KAR 41:050	710	
103 KAR 18:090	330	Effective February 5, 1975.	103 KAR 41:060	710	
103 KAR 18:100	331	Effective February 5, 1975.	103 KAR 41:090	711	
103 KAR 18:110	331	Effective February 5, 1975.	103 KAR 41:100	333	Effective February 5, 1975.
103 KAR 18:120	331	Effective February 5, 1975.	103 KAR 41:110	333	Effective February 5, 1975.
103 KAR 19:010	332	Effective February 5, 1975.	103 KAR 41:120	333	Effective February 5, 1975.
103 KAR 19:030	332	Effective February 5, 1975.	103 KAR 41:130	333	Effective February 5, 1975.
103 KAR 25:010	701		103 KAR 43:010	711	
103 KAR 25:020	702		103 KAR 43:020	711	
103 KAR 25:030	702		103 KAR 43:030	711	
103 KAR 25:040	464	Effective March 12, 1975.	103 KAR 43:050	712	
103 KAR 25:050	144	Effective December 11, 1974.	103 KAR 43:060	712	
103 KAR 25:060	228	Effective January 8, 1975.	103 KAR 43:070	712	
103 KAR 25:070	228	Effective January 8, 1975.	103 KAR 43:080	334	Effective February 5, 1975.
103 KAR 25:080	702		103 KAR 43:090	334	Effective February 5, 1975.
103 KAR 25:090	702		103 KAR 43:100	712	
103 KAR 25:100	228	Effective January 8, 1975.	103 KAR 43:110	712	
103 KAR 25:110	465	Effective March 12, 1975.	103 KAR 43:120	713	
103 KAR 26:010	144	Effective December 11, 1974.	103 KAR 43:130	713	

Regulation	1 Ky. R. Page No.	Effective Date
103 KAR 43:140	713	
103 KAR 43:150	713	
103 KAR 43:160	714	
103 KAR 43:170	714	
103 KAR 43:200	334	Effective February 5, 1975.
103 KAR 43:210	334	Effective February 5, 1975.
103 KAR 43:230	714	
103 KAR 44:010	715	
103 KAR 44:020	715	
104 KAR 1:010	234	Effective January 8, 1975.
104 KAR 1:020	235	Effective January 8, 1975.
104 KAR 1:030	237	Effective January 8, 1975.
104 KAR 1:040	238	Effective January 8, 1975.
104 KAR 1:050	239	Effective January 8, 1975.
104 KAR 1:060	239	
Amended	447	Effective January 10, 1975.
105 KAR 1:010	716	
105 KAR 1:020	717	
200 KAR 1:040E	24	Effective August 26, 1974; Expired December 24, 1974.
200 KAR 1:010	31	Effective October 2, 1974.
200 KAR 2:030E	58	Effective September 11, 1974; Expired January 9, 1975.
200 KAR 2:030	60	Effective November 13, 1974.
200 KAR 2:060E	58	Effective September 11, 1974; Expired January 9, 1975.
200 KAR 2:060	60	Effective November 13, 1974.
200 KAR 3:010E	584	Effective January 24, 1975; Expires May 24, 1975.
200 KAR 3:010	591	Effective April 9, 1975.
200 KAR 10:010	591	Effective April 9, 1975.
200 KAR 10:030	592	Effective April 9, 1975.
201 KAR 1:005	1009	
201 KAR 1:010	1009	
201 KAR 1:015	1009	
201 KAR 1:020	1009	
201 KAR 1:025	1009	
201 KAR 1:030	1009	
201 KAR 1:035	1009	
201 KAR 1:040	1010	
201 KAR 1:045	1010	
201 KAR 1:050	1010	
201 KAR 1:055	1011	
201 KAR 1:060	1011	
201 KAR 1:065	1011	
201 KAR 1:070	1012	
201 KAR 1:075	1012	
201 KAR 1:080	1012	
201 KAR 1:085	1012	
201 KAR 1:090	1012	
201 KAR 1:095	1013	
201 KAR 1:120	8	Withdrawn April 15, 1975.
201 KAR 2:010	9	Effective September 11, 1974.
201 KAR 2:020	9	Effective September 11, 1974.
201 KAR 2:030	147	Effective December 11, 1974.
201 KAR 2:040	9	Effective September 11, 1974.
201 KAR 2:050	10	Effective September 11, 1974.
201 KAR 2:055	147	Effective December 11, 1974.
201 KAR 2:060	10	Effective September 11, 1974.
201 KAR 2:070	10	Effective September 11, 1974.
201 KAR 2:080	147	Effective December 11, 1974.
201 KAR 2:090	147	Effective December 11, 1974.
201 KAR 2:095	718	
201 KAR 2:100	718	
201 KAR 3:010	32	
201 KAR 3:020	32	
201 KAR 3:030	32	
201 KAR 3:040	32	
201 KAR 3:050	32	
201 KAR 3:060	32	
201 KAR 4:020	240	Effective January 8, 1975.
201 KAR 4:030	240	
201 KAR 4:040	240	Effective January 8, 1975.
201 KAR 4:060	240	Effective January 8, 1975.
201 KAR 5:010	718	
201 KAR 5:030	61	Effective November 13, 1974.
201 KAR 5:040	719	
201 KAR 5:050	719	
201 KAR 6:010	61	Effective November 13, 1974.
201 KAR 7:052	241	
201 KAR 7:122	241	Withdrawn January 31, 1975.
201 KAR 7:125	241	Withdrawn January 31, 1975.
201 KAR 8:010	334	
201 KAR 8:020	335	
201 KAR 8:030	335	
201 KAR 8:035	335	
201 KAR 8:040	335	
201 KAR 8:050	335	
201 KAR 8:060	335	
201 KAR 8:070	336	Effective February 5, 1975.
201 KAR 8:080	336	
201 KAR 8:090	336	
201 KAR 8:100	336	
201 KAR 8:110	336	
201 KAR 8:120	336	Effective February 5, 1975.
201 KAR 8:130	337	Effective February 5, 1975.
201 KAR 8:135	337	Effective February 5, 1975.
201 KAR 8:140E	447	Effective January 1, 1975; Expires May 1, 1975.
201 KAR 8:140	338	Effective February 5, 1975.
201 KAR 8:150	338	Effective February 5, 1975.
201 KAR 8:160	339	Effective February 5, 1975.

Regulation	1 Ky. R. Page No.	Effective Date
201 KAR 8:170	339	Effective February 5, 1975.
201 KAR 8:180	339	Effective February 5, 1975.
201 KAR 8:185	592	Effective April 9, 1975.
201 KAR 8:190	339	Effective February 5, 1975.
201 KAR 8:200	340	Effective February 5, 1975.
201 KAR 8:210	340	Effective February 5, 1975.
201 KAR 8:220	340	Effective February 5, 1975.
201 KAR 8:230	340	Effective February 5, 1975.
201 KAR 8:240	340	Effective February 5, 1975.
201 KAR 8:250	340	Effective February 5, 1975.
201 KAR 8:260	340	Effective February 5, 1975.
201 KAR 8:270	342	Effective February 5, 1975.
201 KAR 8:277	592	Effective April 9, 1975.
201 KAR 8:280	342	Effective February 5, 1975.
201 KAR 8:290	342	Effective February 5, 1975.
201 KAR 8:300	342	Effective February 5, 1975.
201 KAR 8:310	342	Effective February 5, 1975.
201 KAR 8:320	342	Effective February 5, 1975.
201 KAR 8:330	342	Effective February 5, 1975.
201 KAR 8:340	343	
Amended	586	Effective February 5, 1975.
201 KAR 8:345	344	Effective February 5, 1975.
201 KAR 8:350	344	Effective February 5, 1975.
201 KAR 8:355	344	Effective February 5, 1975.
201 KAR 8:375	344	Effective February 5, 1975.
201 KAR 8:380	344	Effective February 5, 1975.
201 KAR 8:385	344	Effective February 5, 1975.
201 KAR 9:010	470	Effective March 12, 1975.
201 KAR 9:020	470	Effective March 12, 1975.
201 KAR 9:030	472	Effective March 12, 1975.
201 KAR 9:040	472	Effective March 12, 1975.
201 KAR 9:050	472	Effective March 12, 1975.
201 KAR 9:060	472	Effective March 12, 1975.
201 KAR 9:070	473	Effective March 12, 1975.
201 KAR 9:080	473	Effective March 12, 1975.
201 KAR 9:090	474	Effective March 12, 1975.
201 KAR 10:010	592	Effective April 9, 1975.
201 KAR 10:020	593	Effective April 9, 1975.
201 KAR 10:030	593	Effective April 9, 1975.
201 KAR 10:040	594	Effective April 9, 1975.
201 KAR 10:050	594	Effective April 9, 1975.
201 KAR 10:060	594	Effective April 9, 1975.
201 KAR 10:070	594	Effective April 9, 1975.
201 KAR 11:005	595	Effective April 9, 1975.
201 KAR 11:010	595	Effective April 9, 1975.
201 KAR 11:015	595	Effective April 9, 1975.
201 KAR 11:020	595	
201 KAR 11:025	595	
201 KAR 11:030	595	Effective April 9, 1975.
201 KAR 11:035	596	Effective April 9, 1975.
201 KAR 11:040	596	Effective April 9, 1975.
201 KAR 11:045	596	Effective April 9, 1975.
201 KAR 11:050	596	Effective April 9, 1975.
201 KAR 11:055	596	Effective April 9, 1975.
201 KAR 11:060	596	Effective April 9, 1975.
Amended	971	Effective April 14, 1975.
201 KAR 11:065	597	Effective April 9, 1975.
201 KAR 11:070	597	Effective April 9, 1975.
201 KAR 11:075	597	Effective April 9, 1975.
201 KAR 11:080	597	Effective April 9, 1975.
201 KAR 11:085	597	Effective April 9, 1975.
201 KAR 11:090	597	Effective April 9, 1975.
201 KAR 11:095	597	Effective April 9, 1975.
201 KAR 11:100	598	Effective April 9, 1975.
201 KAR 11:105	598	Effective April 9, 1975.
201 KAR 11:110	598	Effective April 9, 1975.
201 KAR 11:115	598	Effective April 9, 1975.
201 KAR 11:120	598	Effective April 9, 1975.
201 KAR 11:125	598	
201 KAR 11:130	598	Effective April 9, 1975.
201 KAR 11:135	599	Effective April 9, 1975.
201 KAR 11:140	599	Effective April 9, 1975.
201 KAR 11:145	599	Effective April 9, 1975.
201 KAR 11:150	599	Effective April 9, 1975.
201 KAR 11:155	599	Effective April 9, 1975.
201 KAR 11:160	599	Effective April 9, 1975.
201 KAR 12:010	720	
201 KAR 12:020	720	
201 KAR 12:030	720	
201 KAR 12:040	720	
201 KAR 12:050	599	Effective April 9, 1975.
201 KAR 12:060	721	
201 KAR 12:080	721	
201 KAR 13:010	721	
201 KAR 13:020	721	
201 KAR 13:030	722	
201 KAR 13:040	722	
201 KAR 13:050	722	
201 KAR 13:060	723	
201 KAR 13:070	723	
201 KAR 14:010	723	
201 KAR 14:015	723	
201 KAR 14:020	724	
201 KAR 14:025	724	
201 KAR 14:030	724	
201 KAR 14:035	724	
201 KAR 14:040	724	
201 KAR 14:045	724	
201 KAR 14:050	725	
201 KAR 14:055	725	
201 KAR 14:060	725	
201 KAR 14:065	725	

ADMINISTRATIVE REGISTER

Regulation	1 Ky. R. Page No.	Effective Date	Regulation	1 Ky. R. Page No.	Effective Date
201 KAR 14:070	725		301 KAR 3:050	475	Effective March 12, 1975; Expires May 5, 1975.
201 KAR 14:075	725		301 KAR 3:060	476	Effective March 12, 1975.
201 KAR 14:080	726		301 KAR 4:010	35	Effective October 2, 1974.
201 KAR 14:085	726		301 KAR 4:020	65	Effective November 13, 1974.
201 KAR 14:090	726		302 KAR 1:010	150	Effective December 11, 1974.
201 KAR 14:095	728		302 KAR 5:010	733	
201 KAR 14:100	728		302 KAR 5:020	733	
201 KAR 14:105	728		302 KAR 5:030	734	
201 KAR 14:110	728		302 KAR 5:040	734	
201 KAR 14:115	729		302 KAR 5:050	734	
201 KAR 14:120	729		302 KAR 5:060	734	
201 KAR 14:125	730		302 KAR 5:070	734	
201 KAR 14:130	730		302 KAR 10:010	734	
201 KAR 14:135	730		302 KAR 10:020	735	
201 KAR 14:140	730		302 KAR 10:030	735	
201 KAR 14:145	730		302 KAR 10:040	735	
201 KAR 14:150	731		302 KAR 10:050	735	
201 KAR 14:155	731		302 KAR 10:060	736	
201 KAR 14:160	731		302 KAR 10:070	736	
201 KAR 14:165	732		302 KAR 10:080	736	
201 KAR 15:010	1013		302 KAR 10:090	737	
201 KAR 15:020	1013		302 KAR 15:010	1022	
201 KAR 15:030	1013		302 KAR 15:020	1023	
201 KAR 15:040	1013		302 KAR 15:030	1024	
201 KAR 15:050	1014		302 KAR 20:010	737	
201 KAR 15:060	1014		302 KAR 20:020	738	
201 KAR 15:070	1014		302 KAR 20:030	738	
201 KAR 15:080	1014		302 KAR 20:040	739	
201 KAR 15:090	1014		302 KAR 20:050	740	
201 KAR 15:100	1015		302 KAR 20:060	741	
201 KAR 15:110	1016		302 KAR 20:070	742	
201 KAR 15:120	1016		302 KAR 20:080	743	
201 KAR 15:130	1016		302 KAR 20:090	744	
201 KAR 15:140	1017		302 KAR 20:100	744	
201 KAR 15:150	1017		302 KAR 25:005	1025	
201 KAR 15:160	1017		302 KAR 25:015	1026	
201 KAR 15:170	1018		302 KAR 25:025	1026	
201 KAR 15:180	1018		302 KAR 25:035	1026	
201 KAR 15:190	1018		302 KAR 25:045	1027	
201 KAR 15:200	1019		302 KAR 25:055	1027	
201 KAR 15:210	1019		302 KAR 25:065	1027	
201 KAR 15:220	1019		302 KAR 25:075	1027	
201 KAR 15:230	1019		302 KAR 25:085	1028	
201 KAR 15:240	1019		302 KAR 25:095	1028	
201 KAR 15:250	1020		302 KAR 35:010	1028	
201 KAR 15:260	1020		302 KAR 35:020	1029	
201 KAR 15:270	1020		302 KAR 35:030	1029	
201 KAR 15:280	1020		302 KAR 35:040	1029	
201 KAR 15:290	1020		302 KAR 35:050	1029	
201 KAR 15:300	1020		302 KAR 75:010	744	
201 KAR 15:310	1020		302 KAR 75:020	745	
201 KAR 15:320	1020		302 KAR 75:030	745	
201 KAR 15:330	1020		302 KAR 75:040	745	
201 KAR 15:340	1020		302 KAR 75:050	745	
201 KAR 15:350	1020		302 KAR 75:060	745	
201 KAR 15:360	1020		302 KAR 75:070	747	
201 KAR 15:370	1020		302 KAR 75:080	747	
201 KAR 15:380	1020		302 KAR 75:090	748	
201 KAR 15:390	1020		302 KAR 75:100	749	
201 KAR 15:400	1020		302 KAR 75:110	751	
201 KAR 15:410	1020		302 KAR 75:120	751	
201 KAR 15:420	1020		302 KAR 76:005	752	
201 KAR 15:430	1020		302 KAR 76:015	752	
201 KAR 15:440	1020		302 KAR 76:025	752	
201 KAR 15:450	1020		302 KAR 76:035	752	
201 KAR 15:460	1020		302 KAR 76:045	753	
201 KAR 15:470	1020		302 KAR 76:055	753	
201 KAR 15:480	1020		302 KAR 76:065	753	
201 KAR 15:490	1020		302 KAR 76:075	753	
201 KAR 15:500	1020		302 KAR 76:085	754	
201 KAR 15:510	1020		302 KAR 77:010	754	
201 KAR 15:520	1020		302 KAR 77:020	754	
201 KAR 15:530	1020		303 KAR 1:003	1029	
201 KAR 15:540	1020		303 KAR 1:005	754	
201 KAR 15:550	1020		303 KAR 1:010	754	
201 KAR 15:560	1020		303 KAR 1:015	754	
201 KAR 15:570	1020		303 KAR 1:025	1030	
201 KAR 15:580	1020		303 KAR 1:030	755	
201 KAR 15:590	1020		303 KAR 1:040	755	
201 KAR 15:600	1020		303 KAR 1:050	755	
201 KAR 15:610	1020		303 KAR 1:060	755	
201 KAR 15:620	1020		303 KAR 1:070	755	
201 KAR 15:630	1020		303 KAR 1:080	1030	
201 KAR 15:640	1020		303 KAR 1:090	1030	
201 KAR 15:650	1020		304 KAR 1:010	755	
201 KAR 15:660	1020		304 KAR 1:020	756	
201 KAR 15:670	1020		304 KAR 1:030	756	
201 KAR 15:680	1020		304 KAR 1:040	756	
201 KAR 15:690	1020		401 KAR 1:010	476	Effective March 12, 1975.
201 KAR 15:700	1020		401 KAR 1:015	756	
201 KAR 15:710	1020		401 KAR 1:020	10	Effective September 11, 1974.
201 KAR 15:720	1020		401 KAR 1:030	479	Effective March 12, 1975.
201 KAR 15:730	1020		401 KAR 1:040	480	Effective March 12, 1975.
201 KAR 15:740	1020		401 KAR 1:050	481	Effective March 12, 1975.
201 KAR 15:750	1020		401 KAR 1:060	481	Effective March 12, 1975.
201 KAR 15:760	1020		401 KAR 1:070	483	Effective March 12, 1975.
201 KAR 15:770	1020		401 KAR 1:080	484	Effective March 12, 1975.
201 KAR 15:780	1020		401 KAR 1:090	485	Effective March 12, 1975.
201 KAR 15:790	1020		401 KAR 1:100	485	Effective March 12, 1975.
201 KAR 15:800	1020		401 KAR 1:110	487	Effective March 12, 1975.
201 KAR 15:810	1020		401 KAR 1:120	488	Effective March 12, 1975.
201 KAR 15:820	1020		401 KAR 1:130	488	
201 KAR 15:830	1020				
201 KAR 15:840	1020				
201 KAR 15:850	1020				
201 KAR 15:860	1020				
201 KAR 15:870	1020				
201 KAR 15:880	1020				
201 KAR 15:890	1020				
201 KAR 15:900	1020				
201 KAR 15:910	1020				
201 KAR 15:920	1020				
201 KAR 15:930	1020				
201 KAR 15:940	1020				
201 KAR 15:950	1020				
201 KAR 15:960	1020				
201 KAR 15:970	1020				
201 KAR 15:980	1020				
201 KAR 15:990	1020				
201 KAR 16:000	1020				
201 KAR 16:010	1020				
201 KAR 16:020	1020				
201 KAR 16:030	1020				
201 KAR 16:040	1020				
201 KAR 16:050	1020				
201 KAR 16:060	1020				
201 KAR 16:070	1020				
201 KAR 16:080	1020				
201 KAR 16:090	1020				
201 KAR 16:100	1020				
201 KAR 16:110	1020				
201 KAR 16:120	1020				
201 KAR 16:130	1020				
201 KAR 16:140	1020				
201 KAR 16:150	1020				
201 KAR 16:160	1020				
201 KAR 16:170	1020				
201 KAR 16:180	1020				
201 KAR 16:190	1020				
201 KAR 16:200	1020				
201 KAR 16:210	1020				
201 KAR 16:220	1020				
201 KAR 16:230	1020				
201 KAR 16:240	1020				
201 KAR 16:250	1020				
201 KAR 16:260	1020				
201 KAR 16:270	1020				
201 KAR 16:280	1020				
201 KAR 16:290	1020				
201 KAR 16:300	1020				
201 KAR 16:310	1020				
201 KAR 16:320	1020				
201 KAR 16:330	1020				
201 KAR 16:340	1020				
201 KAR 16:350	1020				
201 KAR 16:360	1020				
201 KAR 16:370	1020				
201 KAR 16:380	1020				
201 KAR 16:390	1020				
201 KAR 16:400	1020				
201 KAR 16:410	1020				
201 KAR 16:420	1020				
201 KAR 16:430	1020				
201 KAR 16:440	1020				
201 KAR 16:450	1020				
201 KAR 16:460	1020				
201 KAR 16:470	1020				
201 KAR 16:480	1020				
201 KAR 16:490	1020				
201 KAR 16:500	1020				
201 KAR 16:510	1020				
201 KAR 16:520	1020				
201 KAR 16:530	1020				
201 KAR 16:540	1020				
201 KAR 16:550	1020				
201 KAR 16:560	1020				
201 KAR 16:570	1020				
201 KAR 16:580	1020				
201 KAR 16:590	1020				
201 KAR 16:600	1020				
201 KAR 16:610	1020				
201 KAR 16:620	1020				
201 KAR 16:630	1020				
201 KAR 16:640	1020				
201 KAR 16:650	1020				
201 KAR 16:660	1020				
201 KAR 16:670	1020				
201 KAR 16:680	1020				
201 KAR 16:690	1020				
201 KAR 16:700	1020				
201 KAR 16:710	1020				
201 KAR 16:720	1020				
201 KAR 16:730	1020				
201 KAR 16:740	1020				
201 KAR 16:750	1020				
201 KAR 16:760	1020				
201 KAR 16:770	1020				
201 KAR 16:780	1020				
201 KAR 16:790	1020				
201 KAR 16:800	1020				
201 KAR 16:810	1020				
201 KAR 16:820	1020				
201 KAR 16:830	1020				
201 KAR 16:840	1020				
201 KAR 16:850	1020				
201 KAR 16:860	1020				
201 KAR 16:870	1020				
201 KAR 16:880	1020				
201 KAR 16:890	1020				
201 KAR 16:900	1020				
201 KAR 16:910	1020				
201 KAR 16:920	1020				
201 KAR 16:930	1020				
201 KAR 16:940	1020				
201 KAR 16:950	1020				
201 KAR 16:960	1020				
201 KAR 16:970	1020				
201 KAR 16:980	1020				
201 KAR 16:990	1020				
201 KAR 17:000	1020				
201 KAR 17:010	1020				
201 KAR 17:020	1020		</		

Regulation	1 Ky. R. Page No.	Effective Date
401 KAR 1:140	488	Effective March 12, 1975.
401 KAR 1:150	489	Effective March 12, 1975.
401 KAR 2:010	757	
401 KAR 3:010	601	
401 KAR 3:020	604	
401 KAR 3:030	605	
401 KAR 3:040	607	
401 KAR 3:050	610	
401 KAR 3:060	619	
401 KAR 3:060	625	
401 KAR 4:010	11	
Amended	448	Effective February 5, 1975.
401 KAR 4:030	759	
401 KAR 4:040	759	
401 KAR 5:005	760	
401 KAR 5:015	761	
401 KAR 5:025	761	
401 KAR 5:035	762	
401 KAR 5:045	763	
401 KAR 6:010	763	
401 KAR 6:020	766	
401 KAR 6:030	766	
401 KAR 6:040	771	
402 KAR 1:010	11	
Amended	211, 448	
402 KAR 1:025	773	
402 KAR 1:030	774	
402 KAR 1:035	776	
402 KAR 1:040	776	
402 KAR 1:045	777	
402 KAR 1:050	778	
402 KAR 1:055	778	
402 KAR 1:060	778	
402 KAR 2:010	13	
Amended	694	Effective April 9, 1975.
402 KAR 2:020	14	
Amended	694	Effective April 9, 1975.
500 KAR 5:005	1031	
500 KAR 5:015	1031	
501 KAR 1:010	348	Effective April 9, 1975.
502 KAR 5:010E	584	Effective January 31, 1975; Expires May 31, 1975.
502 KAR 5:010	626	
502 KAR 10:010	1031	
502 KAR 10:020	1032	
502 KAR 10:030	1032	
502 KAR 10:040	1032	
502 KAR 10:050	1033	
502 KAR 10:060	1033	
502 KAR 10:070	1034	
502 KAR 10:080	1034	
502 KAR 10:090	1034	
503 KAR 1:010	773	
503 KAR 1:020	779	
503 KAR 1:030	780	
503 KAR 1:040	781	
503 KAR 1:050	781	
503 KAR 1:059	781	
503 KAR 5:010	1034	
503 KAR 5:020	1035	
503 KAR 5:030	1035	
503 KAR 5:040	1036	
503 KAR 5:050	1036	
503 KAR 5:060	1037	
503 KAR 5:070	1037	
601 KAR 1:005	1037	
601 KAR 1:010	14	Effective September 11, 1974.
601 KAR 1:020E	2	Effective July 23, 1974; Expired November 20, 1974. Effective September 11, 1974.
601 KAR 1:020	14	
601 KAR 1:030	782	
601 KAR 1:035	783	
601 KAR 1:040	784	
601 KAR 1:045	785	
601 KAR 1:050	785	
601 KAR 1:050	786	
601 KAR 1:065	787	
601 KAR 1:070	787	
601 KAR 1:075	788	
601 KAR 1:080	789	
601 KAR 1:085	790	
601 KAR 1:090	791	
601 KAR 1:095	791	
601 KAR 1:100	791	
601 KAR 1:105	792	
601 KAR 1:110	793	
601 KAR 1:115	793	
601 KAR 1:120	794	
601 KAR 2:010	794	
601 KAR 9:010	795	
601 KAR 9:015	795	
601 KAR 9:020	795	
601 KAR 9:025	795	
601 KAR 9:030	796	
601 KAR 9:035	796	
601 KAR 9:040	797	
601 KAR 9:045	797	
601 KAR 9:050	798	
601 KAR 9:055	798	
601 KAR 9:060	798	
601 KAR 9:065	799	

Regulation	1 Ky. R. Page No.	Effective Date
601 KAR 9:070	799	
601 KAR 9:075	800	
601 KAR 10:010	243	Effective January 8, 1975.
601 KAR 10:020	243	Effective January 8, 1975.
601 KAR 10:030	244	Effective January 8, 1975.
601 KAR 10:040	244	Effective January 8, 1975.
601 KAR 10:050	244	Effective January 8, 1975.
601 KAR 10:060	244	Effective January 8, 1975.
601 KAR 10:070	244	Effective January 8, 1975.
601 KAR 10:080	245	Effective January 8, 1975.
601 KAR 12:010	151	
601 KAR 12:020	1038	
601 KAR 12:030	1038	
601 KAR 13:010	35	Effective October 2, 1974.
601 KAR 13:020	1039	
601 KAR 13:030	1039	
601 KAR 20:010	245	Effective January 8, 1975.
601 KAR 20:030	245	Effective January 8, 1975.
601 KAR 20:040	245	Effective January 8, 1975.
601 KAR 20:050	246	Effective January 8, 1975.
601 KAR 20:070	246	Effective January 8, 1975.
601 KAR 20:080	246	Effective January 8, 1975.
601 KAR 20:090	246	Effective January 8, 1975.
601 KAR 20:110	246	Effective January 8, 1975.
601 KAR 20:130	247	Effective January 8, 1975.
601 KAR 25:010	800	
601 KAR 25:020	801	
601 KAR 25:030	801	
601 KAR 25:040	801	
601 KAR 25:050	801	
601 KAR 25:060	802	
601 KAR 25:070	802	
601 KAR 25:080	802	
601 KAR 25:090	803	
601 KAR 25:100	803	
601 KAR 25:110	803	
601 KAR 25:120	803	
601 KAR 25:130	804	
601 KAR 25:140	804	
601 KAR 25:150	804	
601 KAR 25:160	805	
601 KAR 25:170	805	
601 KAR 25:180	805	
601 KAR 25:190	806	
602 KAR 1:010	15	Effective September 11, 1974.
602 KAR 1:015	1040	
602 KAR 1:020	15	Effective September 11, 1974.
Amended	972	
602 KAR 1:025	627	Effective April 9, 1975.
602 KAR 1:030	36	
Amended	213	Effective November 20, 1974.
602 KAR 1:040	36	Effective October 2, 1974.
602 KAR 1:050	627	Effective April 9, 1975.
602 KAR 1:060	628	Effective April 9, 1975.
602 KAR 1:070	630	Effective April 9, 1975.
602 KAR 1:080	630	Effective April 9, 1975.
602 KAR 10:010	631	Effective April 9, 1975.
602 KAR 20:010	1040	
602 KAR 20:020	1041	
602 KAR 20:030	1041	
602 KAR 20:040	1041	
602 KAR 20:050	1041	
602 KAR 20:060	1042	
602 KAR 20:070	1042	
602 KAR 20:080	1042	
602 KAR 20:090	1042	
602 KAR 50:010	806	
602 KAR 50:020	1043	
602 KAR 50:030	807	
602 KAR 50:040	1043	
602 KAR 50:050	1043	
602 KAR 50:060	807	
602 KAR 50:070	807	
602 KAR 50:080	1044	
602 KAR 50:090	1044	
602 KAR 50:100	807	
602 KAR 50:110	808	
602 KAR 50:120	808	
603 KAR 1:010	808	
603 KAR 1:020	809	
603 KAR 1:030	809	
603 KAR 2:015	809	
603 KAR 3:010	810	
603 KAR 3:020	812	
603 KAR 3:030	814	
603 KAR 3:040	815	
603 KAR 3:050	815	
603 KAR 4:015	815	
603 KAR 5:010	37	Effective October 2, 1974.
603 KAR 5:020	37	Effective October 2, 1974.
603 KAR 5:025	152	Effective December 11, 1974.
603 KAR 5:030	66	Effective November 13, 1974.
603 KAR 5:040	152	Effective December 11, 1974.
603 KAR 5:050	815	
603 KAR 5:060	815	
603 KAR 5:065	816	
603 KAR 5:070	817	
603 KAR 5:075	817	
603 KAR 5:080	817	
603 KAR 5:090	817	
603 KAR 5:095	818	

Regulation	1 Ky. R. Page No.	Effective Date	Regulation	1 Ky. R. Page No.	Effective Date
Amended	973		703 KAR 2:030	45	
603 KAR 5:100	831		Amended	697	Effective February 24, 1975.
603 KAR 5:110	831		703 KAR 2:040	45	
603 KAR 6:010	66	Effective November 13, 1974.	Amended	698	Effective February 24, 1975.
603 KAR 6:011	66	Effective November 13, 1974.			
Amended	214	Effective January 8, 1975.	703 KAR 2:050	832	
603 KAR 6:012	66	Effective November 13, 1974.	703 KAR 3:010	45	Effective October 2, 1974.
603 KAR 6:013	66	Effective November 13, 1974.	703 KAR 3:020	45	Effective October 2, 1974.
603 KAR 6:014	67	Effective November 13, 1974.	703 KAR 3:030	45	Effective October 2, 1974.
603 KAR 6:015	67	Effective November 13, 1974.	703 KAR 3:040	46	Effective October 2, 1974.
603 KAR 6:016	67	Effective November 13, 1974.	704 KAR 1:010	46	Effective October 2, 1974.
603 KAR 6:017	67	Effective November 13, 1974.	704 KAR 1:020	72	Effective November 13, 1974.
603 KAR 6:018	67	Effective November 13, 1974.	704 KAR 1:030	73	Withdrawn April 2, 1975.
603 KAR 6:019	67	Effective November 13, 1974.	704 KAR 1:040	1054	
603 KAR 6:020	67	Effective November 13, 1974.	704 KAR 1:050	1055	
603 KAR 6:021	68	Effective November 13, 1974.	704 KAR 2:010	46	Effective October 2, 1974.
603 KAR 6:022	153	Effective December 11, 1974.	704 KAR 2:020	1057	
603 KAR 6:023	153	Effective December 11, 1974.	704 KAR 3:010	73	Effective November 13, 1974.
603 KAR 6:024	247	Effective January 8, 1975.	704 KAR 3:020	73	
603 KAR 6:025	247	Effective January 8, 1975.	704 KAR 3:030	74	Effective November 13, 1974.
603 KAR 6:026	247	Effective January 8, 1975.	704 KAR 3:040	74	Effective November 13, 1974.
603 KAR 6:027	632	Effective April 9, 1975.	704 KAR 3:050	74	Effective November 13, 1974.
603 KAR 6:028	248	Effective January 8, 1975.	704 KAR 3:060	75	Effective November 13, 1974.
603 KAR 6:029	248	Effective January 8, 1975.	704 KAR 3:070	75	Effective November 13, 1974.
603 KAR 6:030	248	Effective January 8, 1975.	704 KAR 3:080	75	Effective November 13, 1974.
702 KAR 1:010	37		704 KAR 3:090	76	
702 KAR 1:020	68	Effective November 13, 1974.	Amended	698	Effective March 12, 1975.
Amended	451	Effective March 12, 1975.	704 KAR 3:100	76	Effective November 13, 1974.
702 KAR 1:030	68	Effective November 13, 1974.	704 KAR 3:110	76	Effective November 13, 1974.
702 KAR 2:010	38	Effective October 2, 1974.	704 KAR 3:120	77	Effective November 13, 1974.
702 KAR 2:020	33	Effective October 2, 1974.	704 KAR 3:130	77	Effective November 13, 1974.
702 KAR 2:030	39	Effective October 2, 1974.	704 KAR 3:140	77	Effective November 13, 1974.
702 KAR 2:040	39	Effective October 2, 1974.	704 KAR 3:150	77	Effective April 9, 1975.
702 KAR 2:050	40	Effective October 2, 1974.	704 KAR 3:160	78	Effective November 13, 1974.
702 KAR 2:060	40	Effective October 2, 1974.	704 KAR 3:170	78	Effective November 13, 1974.
702 KAR 2:070	40	Effective October 2, 1974.	704 KAR 3:180	78	
702 KAR 2:080	40	Effective October 2, 1974.	Amended	974	Effective April 9, 1975.
702 KAR 2:090	41	Effective October 2, 1974.	704 KAR 3:190	79	Effective November 13, 1974.
702 KAR 2:100	42		704 KAR 3:200	79	Effective November 13, 1974.
Amended	119	Effective October 2, 1974.	704 KAR 3:210	79	
702 KAR 3:010	68	Effective November 13, 1974.	Amended	975	Effective April 9, 1975.
702 KAR 3:020	69	Effective November 13, 1974.	704 KAR 3:220	80	Effective November 13, 1974.
702 KAR 3:030	69	Effective November 13, 1974.	704 KAR 3:230	80	
702 KAR 3:040	69	Effective November 13, 1974.	Amended	975	Effective April 9, 1975.
702 KAR 3:045	69		704 KAR 3:240	80	Effective November 13, 1974.
Amended	695	Effective March 12, 1975.	704 KAR 3:250	80	
702 KAR 3:050	69		Amended	698	Effective March 12, 1975.
Amended	695	Effective March 12, 1975.	704 KAR 3:260	81	Effective November 13, 1974.
702 KAR 3:060	70	Effective November 13, 1974.	704 KAR 3:270	81	Effective November 13, 1974.
702 KAR 3:070	70	Effective March 12, 1975.	704 KAR 4:010	81	Effective November 13, 1974.
702 KAR 3:075	70	Effective November 13, 1974.	704 KAR 4:020	81	Effective November 13, 1974.
702 KAR 3:080	70	Effective November 13, 1974.	704 KAR 5:010	82	Effective November 13, 1974.
702 KAR 3:090	71	Effective November 13, 1974.	704 KAR 5:050	83	
702 KAR 3:100	71	Effective March 12, 1975.	Amended	699	Effective March 12, 1975.
702 KAR 3:110	71	Effective November 13, 1974.	704 KAR 10:010	491	Effective March 12, 1975.
702 KAR 3:120	71	Effective November 13, 1974.	704 KAR 10:050	1057	
702 KAR 3:130	71	Effective November 13, 1974.	704 KAR 15:010	491	Effective March 12, 1975.
702 KAR 3:140	72		704 KAR 15:020	491	Effective March 12, 1975.
Amended	695	Effective March 12, 1975.	704 KAR 15:030	491	Effective March 12, 1975.
702 KAR 3:150	72	Effective November 13, 1974.	704 KAR 15:040	492	Effective March 12, 1975.
702 KAR 3:160	72	Effective November 13, 1974.	704 KAR 15:050	492	Effective March 12, 1975.
702 KAR 3:170	1045		704 KAR 15:080	492	Effective March 12, 1975.
702 KAR 4:005	1045		704 KAR 20:005	492	Effective March 12, 1975.
702 KAR 4:010	1045		704 KAR 20:010	493	Effective March 12, 1975.
702 KAR 4:020	1045		704 KAR 20:015	493	Effective March 12, 1975.
702 KAR 4:030	1046		704 KAR 20:020	493	Effective March 12, 1975.
702 KAR 4:040	1046		704 KAR 20:025	493	Effective March 12, 1975.
702 KAR 4:050	1046		704 KAR 20:030	494	Effective March 12, 1975.
702 KAR 4:060	1047		704 KAR 20:035	494	Effective March 12, 1975.
702 KAR 4:070	1047		704 KAR 20:040	494	Effective March 12, 1975.
702 KAR 4:080	1048		704 KAR 20:045	494	Effective March 12, 1975.
702 KAR 4:090	1049		704 KAR 20:050	494	Effective March 12, 1975.
702 KAR 5:010	1049		704 KAR 20:055	495	Effective March 12, 1975.
702 KAR 5:020	1049		704 KAR 20:060	495	Effective March 12, 1975.
702 KAR 5:030	1051		704 KAR 20:065	495	Effective March 12, 1975.
702 KAR 5:040	1051		704 KAR 20:070	496	Effective March 12, 1975.
702 KAR 5:050	1051		704 KAR 20:075	496	Effective March 12, 1975.
702 KAR 5:060	1052		704 KAR 20:080	496	Effective March 12, 1975.
702 KAR 5:070	1052		704 KAR 20:085	496	Effective March 12, 1975.
702 KAR 5:080	1052		704 KAR 20:090	497	Effective March 12, 1975.
702 KAR 5:090	1053		704 KAR 20:095	497	Effective March 12, 1975.
702 KAR 5:100	1053		704 KAR 20:100	497	Effective March 12, 1975.
702 KAR 5:110	1054		704 KAR 20:105	497	Effective March 12, 1975.
703 KAR 1:010	42	Effective October 2, 1974.	704 KAR 20:110	498	Effective March 12, 1975.
703 KAR 1:020	42		704 KAR 20:115	498	Effective March 12, 1975.
Amended	695	Effective March 12, 1975.	704 KAR 20:120	498	Effective March 12, 1975.
703 KAR 1:030	42		704 KAR 20:125	499	Effective March 12, 1975.
Amended	696	Effective March 12, 1975.	704 KAR 20:130	499	Effective March 12, 1975.
703 KAR 1:040	43		704 KAR 20:135	499	Effective March 12, 1975.
Amended	696	Effective March 12, 1975.	704 KAR 20:140	500	Effective March 12, 1975.
703 KAR 1:050	43	Effective October 2, 1974.	704 KAR 20:145	500	Effective March 12, 1975.
703 KAR 1:060	43		704 KAR 20:150	500	Effective March 12, 1975.
Amended	696	Effective March 12, 1975.	704 KAR 20:155	501	Effective March 12, 1975.
703 KAR 1:070	43		704 KAR 20:160	501	
Amended	696	Effective March 12, 1975.	Corrected	699	Effective March 12, 1975.
703 KAR 1:080	44		704 KAR 20:165	501	Effective March 12, 1975.
Amended	697	Effective March 12, 1975.	704 KAR 20:170	501	Effective March 12, 1975.
703 KAR 2:010	44	Effective March 12, 1975.	704 KAR 20:175	501	Effective March 12, 1975.
703 KAR 2:020	44		704 KAR 20:180	502	Effective March 12, 1975.
Amended	697	Effective February 24, 1975.	704 KAR 20:185	502	Effective March 12, 1975.
			704 KAR 20:190	502	Effective March 12, 1975.
			704 KAR 20:195	503	Effective March 12, 1975.

Regulation	1 Ky. R. Page No.	Effective Date
704 KAR 20:200	503	Effective March 12, 1975.
704 KAR 20:205	503	Effective March 12, 1975.
704 KAR 20:210	504	Effective March 12, 1975.
704 KAR 20:215	504	Effective March 12, 1975.
704 KAR 20:220	504	Effective March 12, 1975.
705 KAR 1:010	47	Effective October 2, 1974.
705 KAR 2:020	1058	
705 KAR 2:030	1058	
705 KAR 2:090	505	Effective March 12, 1975.
705 KAR 3:010	505	Effective March 12, 1975.
705 KAR 3:020	506	Effective March 12, 1975.
705 KAR 3:030	507	Effective March 12, 1975.
705 KAR 3:040	507	Effective March 12, 1975.
705 KAR 3:050	507	Effective March 12, 1975.
705 KAR 3:060	507	Effective March 12, 1975.
705 KAR 3:070	1059	
705 KAR 3:075	1059	
705 KAR 3:080	508	Effective March 12, 1975.
705 KAR 3:090	1059	
705 KAR 3:100	1060	
705 KAR 3:110	1060	
705 KAR 3:120	1060	
705 KAR 3:130	1060	
705 KAR 4:010	1060	
705 KAR 4:020	1061	
705 KAR 4:030	1061	
705 KAR 4:040	1061	
705 KAR 4:050	1062	
705 KAR 4:060	1062	
705 KAR 4:070	1063	
705 KAR 4:080	1063	
705 KAR 4:090	1064	
705 KAR 4:100	1064	
705 KAR 4:110	1065	
705 KAR 4:120	1065	
705 KAR 4:130	1066	
705 KAR 4:140	1066	
705 KAR 4:150	1067	
705 KAR 4:160	1067	
705 KAR 4:170	1067	
705 KAR 4:180	1068	
705 KAR 4:190	1068	
705 KAR 5:010	84	Effective March 12, 1975.
705 KAR 5:020	508	Effective March 12, 1975.
705 KAR 5:030	84	Effective March 12, 1975.
705 KAR 5:040	509	Effective March 12, 1975.
705 KAR 5:060	84	Effective November 13, 1974.
705 KAR 5:070	1068	
705 KAR 5:080	1068	
705 KAR 6:010	1069	
705 KAR 7:010	85	Effective November 13, 1974.
705 KAR 7:020	509	Effective March 12, 1975.
705 KAR 7:030	509	Effective March 12, 1975.
705 KAR 7:040	85	Effective November 13, 1974.
705 KAR 8:010	510	
705 KAR 10:010	85	Effective November 13, 1974.
705 KAR 10:020	510	Effective March 12, 1975.
705 KAR 10:030	1069	
705 KAR 10:040	85	Effective November 13, 1974.
705 KAR 10:050	86	Effective November 13, 1974.
705 KAR 10:060	86	Effective November 13, 1974.
705 KAR 10:070	86	Effective November 13, 1974.
705 KAR 10:080	87	Effective November 13, 1974.
705 KAR 10:090	87	Effective November 13, 1974.
705 KAR 10:100	87	Effective November 13, 1974.
705 KAR 10:120	87	Effective November 13, 1974.
705 KAR 11:010	87	Effective November 13, 1974.
705 KAR 11:020	88	Effective November 13, 1974.
705 KAR 11:030	88	Effective November 13, 1974.
705 KAR 11:040	88	Effective November 13, 1974.
705 KAR 11:050	88	Effective November 13, 1974.
706 KAR 1:010	833	
801 KAR 1:005	248	Effective January 8, 1975.
801 KAR 1:010E	3,4	Effective July 25, 1974; Expired November 22, 1974.
801 KAR 1:010	4,16	
801 KAR 1:020E	3,5	Effective July 25, 1974; Expired November 22, 1974.
801 KAR 1:020	5,16	
801 KAR 1:030E	3,6	Effective July 25, 1974; Expired November 22, 1974.
801 KAR 1:030	6,16	
801 KAR 1:040E	3,7	Effective July 25, 1974; Expired November 22, 1974.
801 KAR 1:040	7,16	Effective September 11, 1974.
802 KAR 1:010	47	Effective October 2, 1974.
803 KAR 1:005	249	Effective January 8, 1975.
803 KAR 1:010	47	Effective October 2, 1974.
803 KAR 1:020	43	Effective October 2, 1974.
803 KAR 1:030	49	
Amended	119	Effective November 13, 1974.
803 KAR 1:040	49	
Amended	120	Effective November 13, 1974.
803 KAR 1:045	833	
803 KAR 1:050	50	Effective October 2, 1974.
803 KAR 1:060	251	
Amended	451	Effective January 8, 1975.
803 KAR 1:065	253	Effective January 8, 1975.
803 KAR 1:066	510	Effective March 12, 1975.
803 KAR 1:070	255	
Amended	586	Effective February 5, 1975.

Regulation	1 Ky. R. Page No.	Effective Date
803 KAR 1:075	256	Effective January 8, 1975.
803 KAR 1:080	153	Effective December 11, 1974.
803 KAR 1:085	155	Effective December 11, 1974.
803 KAR 1:090	156	
Amended	324, 455	Effective January 8, 1975.
803 KAR 1:100	157	Effective December 11, 1974.
803 KAR 2:010	833	
803 KAR 2:020E	691	Effective March 13, 1975; Expires July 11, 1975.
803 KAR 2:020	88	Effective November 13, 1974.
Amended	699	
803 KAR 2:030E	692	Effective March 13, 1975; Expires July 11, 1975.
803 KAR 2:030	89	Effective November 13, 1974.
Amended	214	Effective January 8, 1975.
Amended	700	
803 KAR 2:040	158	Effective December 11, 1974.
803 KAR 2:050	158	Effective December 11, 1974.
803 KAR 2:060	158	Effective December 11, 1974.
803 KAR 2:070	159	Effective December 11, 1974.
803 KAR 2:080	159	Effective December 11, 1974.
803 KAR 2:090	160	Effective December 11, 1974.
803 KAR 2:095	160	Effective December 11, 1974.
803 KAR 2:100	160	Effective December 11, 1974.
803 KAR 2:110	161	Effective December 11, 1974.
803 KAR 2:115	161	Effective December 11, 1974.
803 KAR 2:120	161	Effective December 11, 1974.
803 KAR 2:125	162	Effective December 11, 1974.
803 KAR 2:130	162	Effective December 11, 1974.
803 KAR 2:140	162	Effective December 11, 1974.
803 KAR 2:150	162	Effective December 11, 1974.
803 KAR 2:160	163	Effective December 11, 1974.
803 KAR 2:170	163	
803 KAR 2:180	835	
803 KAR 4:010	50	Effective October 2, 1974.
803 KAR 25:010	836	
803 KAR 25:020	838	
803 KAR 25:030	839	
803 KAR 25:040	840	
803 KAR 25:050	840	
803 KAR 50:010	349	Effective February 5, 1975.
804 KAR 1:010	50	Effective October 2, 1974.
804 KAR 1:020	50	Effective October 2, 1974.
804 KAR 1:030	51	Effective October 2, 1974.
804 KAR 1:040	51	Effective October 2, 1974.
804 KAR 1:050	51	Effective October 2, 1974.
804 KAR 1:060	52	Effective October 2, 1974.
804 KAR 1:070	840	
804 KAR 1:080	840	
804 KAR 2:005	632	Effective April 9, 1975.
804 KAR 2:015	632	Effective April 9, 1975.
804 KAR 2:025	633	Effective April 9, 1975.
804 KAR 3:010	52	Effective October 2, 1974.
804 KAR 3:020	52	Effective October 2, 1974.
Amended	325	Effective February 5, 1975.
804 KAR 3:030	167	Effective December 11, 1974.
804 KAR 3:040	167	Effective December 11, 1974.
804 KAR 3:050	167	Effective December 11, 1974.
804 KAR 3:060	167	Effective December 11, 1974.
804 KAR 3:070	167	Effective December 11, 1974.
804 KAR 3:080	168	Effective December 11, 1974.
804 KAR 3:090	840	
804 KAR 3:100	841	
804 KAR 4:010	353	Effective February 5, 1975.
804 KAR 4:020	354	Effective February 5, 1975.
804 KAR 4:030	354	Effective February 5, 1975.
804 KAR 4:040	354	Effective February 5, 1975.
804 KAR 4:050	355	Effective February 5, 1975.
804 KAR 4:060	355	Effective February 5, 1975.
804 KAR 4:070	355	Effective February 5, 1975.
804 KAR 4:080	355	Effective February 5, 1975.
804 KAR 4:090	355	Effective February 5, 1975.
804 KAR 4:100	356	Effective February 5, 1975.
804 KAR 4:110	356	Effective February 5, 1975.
804 KAR 4:120	356	Effective February 5, 1975.
804 KAR 4:130	357	Effective February 5, 1975.
804 KAR 4:140	357	Effective February 5, 1975.
804 KAR 4:150	357	Effective February 5, 1975.
804 KAR 4:160	357	Effective February 5, 1975.
804 KAR 4:170	358	Effective February 5, 1975.
804 KAR 4:180	358	Effective February 5, 1975.
804 KAR 4:190	358	Effective February 5, 1975.
804 KAR 4:200	358	Effective February 5, 1975.
804 KAR 5:010	841	
804 KAR 5:020	841	
804 KAR 5:030	841	
804 KAR 5:040	842	
804 KAR 5:050	842	
804 KAR 5:060	842	
804 KAR 6:010	842	
804 KAR 7:010	843	
804 KAR 7:020	844	
804 KAR 7:030	844	
804 KAR 7:040	844	
804 KAR 7:050	844	
804 KAR 8:010	844	
804 KAR 8:020	845	
804 KAR 8:030	845	
804 KAR 8:040	845	
804 KAR 8:050	845	
804 KAR 8:060	846	

Regulation	1 Ky. R. Page No.	Effective Date	Regulation	1 Ky. R. Page No.	Effective Date
804 KAR 9:010	846		806 KAR 14:005	1081	
804 KAR 9:020	846		806 KAR 14:010	866	
804 KAR 9:030	846		806 KAR 14:020	866	
804 KAR 10:010	846		806 KAR 14:030	866	
804 KAR 10:020	847		806 KAR 14:040	866	
804 KAR 11:010	847		806 KAR 14:050	867	
804 KAR 11:020	847		806 KAR 14:060	867	
804 KAR 12:010	847		806 KAR 14:070	1081	
805 KAR 1:030	89	Effective November 13, 1974.	806 KAR 14:080	1082	
805 KAR 1:040	633	Effective April 9, 1975.	806 KAR 14:090	1082	
805 KAR 1:050	633	Effective April 9, 1975.	806 KAR 14:100	1082	
805 KAR 1:060	1069		806 KAR 14:110	1082	
805 KAR 1:070	1070		806 KAR 15:010	867	
805 KAR 1:080	1071		806 KAR 15:020	869	
805 KAR 2:010	168	Effective December 11, 1974	806 KAR 17:010	1083	
805 KAR 2:020	847		806 KAR 17:020	1083	
805 KAR 3:010	848		806 KAR 17:030	1083	
805 KAR 3:020	848		806 KAR 19:010	1083	
805 KAR 3:030	848		806 KAR 19:020	869	
805 KAR 3:040	849		806 KAR 19:030	870	
805 KAR 3:050	851		806 KAR 19:040	1084	
805 KAR 3:060	851		806 KAR 19:050	1084	
805 KAR 3:070	852		806 KAR 19:060	1084	
805 KAR 3:080	852		806 KAR 24:010	1084	
805 KAR 3:090	853		806 KAR 24:020	1085	
805 KAR 3:100	853		806 KAR 26:010	870	
805 KAR 3:110	854		806 KAR 26:020	874	
805 KAR 3:120	1072		806 KAR 30:010	1086	
805 KAR 4:010	1072		806 KAR 30:020	1086	
805 KAR 4:020	1073		806 KAR 30:030	1086	
805 KAR 4:030	1073		806 KAR 30:040	1086	
805 KAR 4:040	1073		806 KAR 30:050	1087	
805 KAR 4:050	1074		806 KAR 30:060	1087	
805 KAR 4:060	854		806 KAR 30:070	1087	
806 KAR 2:010	854		806 KAR 34:005	1088	
806 KAR 2:020	854		806 KAR 34:010	878	
806 KAR 2:030	854		806 KAR 34:020	878	
806 KAR 2:040	855		806 KAR 34:030	878	
806 KAR 2:050	855		806 KAR 34:040	878	
806 KAR 2:060	855		806 KAR 34:050	1088	
806 KAR 2:070	856		806 KAR 34:055	1088	
806 KAR 3:020	856		806 KAR 34:060	1089	
806 KAR 3:040	856		806 KAR 34:065	1089	
806 KAR 3:050	856		806 KAR 34:070	1089	
806 KAR 3:060	856		806 KAR 38:010	1090	
806 KAR 3:070	857		806 KAR 38:020	1090	
806 KAR 3:080	857		806 KAR 38:030	1090	
806 KAR 3:090	857		806 KAR 38:040	1091	
806 KAR 3:100	857		806 KAR 38:050	879	
806 KAR 3:110	1074		806 KAR 39:010	879	
806 KAR 3:120	857		806 KAR 39:020	879	
806 KAR 5:010	857		806 KAR 39:030	879	
806 KAR 5:020	1074		806 KAR 39:040	880	
806 KAR 5:030	858		806 KAR 39:050	90	
806 KAR 5:040	858		806 KAR 50:010	215	Effective November 20, 1974.
806 KAR 5:050	859		Amended	94	
806 KAR 6:010	859		806 KAR 50:020	222	Effective November 13, 1974.
806 KAR 6:020	859		Amended	95	Withdrawn November 7, 1974.
806 KAR 6:030	859		806 KAR 50:050	96	Effective November 13, 1974.
806 KAR 6:040	859		806 KAR 50:060	96	Effective November 13, 1974.
806 KAR 6:050	859		806 KAR 50:070	96	Effective November 13, 1974.
806 KAR 7:010	1075		806 KAR 50:080	96	Effective November 13, 1974.
806 KAR 7:020	859		806 KAR 50:090	97	Effective November 13, 1974.
806 KAR 7:030	859		806 KAR 50:100	170	Effective November 15, 1974.
806 KAR 7:040	1075		806 KAR 50:110	359	Withdrawn November 15, 1974.
806 KAR 7:050	860		806 KAR 50:120	360	Effective February 5, 1975.
806 KAR 7:060	1075		806 KAR 50:130	362	Effective February 5, 1975.
806 KAR 7:070	860		806 KAR 50:140	363	Effective February 5, 1975.
806 KAR 7:080	1076		806 KAR 50:150	363	Effective February 5, 1975.
806 KAR 7:090	1076		806 KAR 50:160	97	Effective February 5, 1975.
806 KAR 7:100	861		806 KAR 50:170	456	Effective March 12, 1975.
806 KAR 7:110	861		806 KAR 50:180	179	Effective December 11, 1974.
806 KAR 7:120	861		806 KAR 50:190	183	
806 KAR 7:130	861		806 KAR 50:200	975	
806 KAR 7:140	861		Amended	257	Effective April 9, 1975.
806 KAR 7:150	862		807 KAR 2:010	260	
806 KAR 7:160	862		807 KAR 2:020	267	
806 KAR 7:170	862		807 KAR 2:030	979	
806 KAR 7:180	862		807 KAR 2:040	266	Effective April 9, 1975.
806 KAR 7:190	862		807 KAR 2:050	267	Effective April 9, 1975.
806 KAR 7:200	862		807 KAR 2:060	880	
806 KAR 7:210	1076		807 KAR 2:070	1091	
806 KAR 7:220	863		807 KAR 2:080	271	
806 KAR 7:230	1076		807 KAR 2:090	885	
806 KAR 7:240	863		807 KAR 2:100	885	
806 KAR 7:250	1077		807 KAR 2:110	886	
806 KAR 7:260	1078		807 KAR 2:120	886	
806 KAR 7:270	1079		807 KAR 2:130	886	
806 KAR 7:280	1079		807 KAR 2:140	886	
806 KAR 7:290	1080		807 KAR 2:150	886	
806 KAR 7:300	864		807 KAR 2:160	887	
806 KAR 7:310	1081		807 KAR 2:170	888	
806 KAR 7:320	864		807 KAR 2:180	888	
806 KAR 7:330	865		807 KAR 2:190	888	
806 KAR 7:340	865		807 KAR 2:200	888	
806 KAR 7:350	865		807 KAR 2:210	888	
806 KAR 7:360	865		807 KAR 2:220	888	
806 KAR 7:370	865		807 KAR 2:230	888	
806 KAR 7:380	865		807 KAR 2:240	888	
806 KAR 7:390	865		807 KAR 2:250	888	
806 KAR 7:400	865		807 KAR 2:260	888	
806 KAR 7:410	865		807 KAR 2:270	888	
806 KAR 7:420	865		807 KAR 2:280	888	
806 KAR 7:430	865		807 KAR 2:290	888	
806 KAR 7:440	865		807 KAR 2:300	888	
806 KAR 7:450	865		807 KAR 2:310	888	
806 KAR 7:460	865		807 KAR 2:320	888	
806 KAR 7:470	865		807 KAR 2:330	888	
806 KAR 7:480	865		807 KAR 2:340	888	
806 KAR 7:490	865		807 KAR 2:350	888	
806 KAR 7:500	865		807 KAR 2:360	888	
806 KAR 7:510	865		807 KAR 2:370	888	
806 KAR 7:520	865		807 KAR 2:380	888	
806 KAR 7:530	865		807 KAR 2:390	888	
806 KAR 7:540	865		807 KAR 2:400	888	
806 KAR 7:550	865		807 KAR 2:410	888	
806 KAR 7:560	865		807 KAR 2:420	888	
806 KAR 7:570	865		807 KAR 2:430	888	
806 KAR 7:580	865		807 KAR 2:440	888	
806 KAR 7:590	865		807 KAR 2:450	888	
806 KAR 7:600	865		807 KAR 2:460	888	
806 KAR 7:610	865		807 KAR 2:470	888	
806 KAR 7:620	865		807 KAR 2:480	888	
806 KAR 7:630	865		807 KAR 2:490	888	
806 KAR 7:640	865		807 KAR 2:500	888	
806 KAR 7:650	865		807 KAR 2:510	888	
806 KAR 7:660	865		807 KAR 2:520	888	
806 KAR 7:670	865		807 KAR 2:530	888	
806 KAR 7:680	865		807 KAR 2:540	888	
806 KAR 7:690	865		807 KAR 2:550	888	
806 KAR 7:700	865		807 KAR 2:560	888	
806 KAR 7:710	865		807 KAR 2:570	888	
806 KAR 7:720	865		807 KAR 2:580	888	
806 KAR 7:730	865		807 KAR 2:590	888	
806 KAR 7:740	865		807 KAR 2:600	888	
806 KAR 7:750	865		807 KAR 2:610	888	
806 KAR 7:760	865		807 KAR 2:620	888	
806 KAR 7:770	865		807 KAR 2:630	888	
806 KAR 7:780	865		807 KAR 2:640	888	
806 KAR 7:790	865		807 KAR 2:650	888	
806 KAR 7:800	865		807 KAR 2:660	888	
806 KAR 7:810	865		807 KAR 2:670	888	
806 KAR 7:820	865		807 KAR 2:680	888	
806 KAR 7:830	865		807 KAR 2:690	888	
806 KAR 7:840	865		807 KAR 2:700	888	
806 KAR 7:850	865		807 KAR 2:710	888	
806 KAR 7:860	865		807 KAR 2:720	888	
806 KAR 7:870	865		807 KAR 2:730	888	
806 KAR 7:880	865		807 KAR 2:740	888	
806 KAR 7:890	865		807 KAR 2:750	888	
806 KAR 7:900	865		807 KAR 2:760	888	
806 KAR 7:910	865		807 KAR 2:770	888	
806 KAR 7:920	865		807 KAR 2:780	888	
806 KAR 7:930	865		807 KAR 2:790	888	
806 KAR 7:940	865		807 KAR 2:800	888	
806 KAR 7:950	865		807 KAR 2:810	888	
806 KAR 7:960	865		807 KAR 2:820	888	
806 KAR 7:970	865		807 KAR 2:830	888	
806 KAR 7:980	865		807 KAR 2:840	888	
806 KAR 7:990	865		807 KAR 2:850	888	
806 KAR 8:000	865		807 KAR 2:860	888	
806 KAR 8:010	865		807 KAR 2:870	888	
806 KAR 8:020	865		807 KAR 2:880	888	
806 KAR 8:030	865		807 KAR 2:890	888	
806 KAR 8:040	865		807 KAR 2:900	888	
806 KAR 8:050	865		807 KAR 2:910	888	
806 KAR 8:060	865		807 KAR 2:920	888	
806 KAR 8:070	865		807 KAR 2:930	888	
806 KAR 8:080	865		807 KAR 2:940	888	
806 KAR 8:090	865		807 KAR 2:950	888	
806 KAR 8:100	865		807 KAR 2:960	888	
806 KAR 8:110	865		807 KAR 2:970	888	
806 KAR 8:120	865		807 KAR 2:980	888	
806 KAR 8:130	865		807 KAR 2:990	888	
806 KAR 8:140	865		807 KAR 3:000	888	
806 KAR 8:150	865		807 KAR 3:010	888	
806 KAR 8:160	865		807 KAR 3:020	888	
806 KAR 8:170	865		807 KAR 3:030	888	
806 KAR 8:180	865		807 KAR 3:040	888	
806 KAR 8:190	865		807 KAR 3:050	888	
806 KAR 8:200	865		807 KAR 3:060	888	
806 KAR 8:210	865		807 KAR 3:070	888	
806 KAR 8:220	865		807 KAR 3:080	888	
806 KAR 8:230	865		807 KAR 3:090	888	
806 KAR 8:240	865		807 KAR 3:100	888	
806 KAR 8:250	865		807 KAR 3:110	888	
806 KAR 8:260	865		807 KAR 3:120	888	
806 KAR 8:270	865		807 KAR 3:130	888	
806 KAR 8:280	865		807 KAR 3:140	888	
806 KAR 8:290	865		807 KAR 3:150	888	
806 KAR 8:300	865		807 KAR 3:160	888	
806 KAR 8:310	865		807 KAR 3:170	888	
806 KAR 8:320	865		807 KAR 3:180	888	
806 KAR 8:330	865		807 KAR 3:190	888	
806 KAR 8:340	865		807 KAR 3:200	888	
806 KAR 8:350	865		807 KAR 3:210	888	
806 KAR 8:360	865		807 KAR 3:220	888	
806 KAR 8:370	865		807 KAR 3:230	888	
806 KAR 8:380	865		807 KAR 3:240	888	
806 KAR 8:390	865		807 KAR 3:250	888	
806 KAR 8:400	865		807 KAR 3:260	888	
806 KAR 8:410	865		807 KAR 3:270	888	
806 KAR 8:420	865		807 KAR 3:280	888	
806 KAR 8:430	865		807 KAR 3:290	888	
806 KAR 8:440	8				

Regulation	1 Ky. R. Page No.	Effective Date	Regulation	1 Ky. R. Page No.	Effective Date
808 KAR 6:060	889		902 KAR 1:010	101	Effective November 13, 1974.
808 KAR 6:065	889		902 KAR 1:020	101	Effective November 13, 1974.
808 KAR 6:070	889		Amended	587	Effective April 9, 1975.
808 KAR 6:075	890		902 KAR 1:030	102	Effective November 13, 1974.
808 KAR 6:080	890		Amended	588	Effective April 9, 1975.
808 KAR 6:090	890		902 KAR 1:040	102	Effective November 13, 1974.
808 KAR 6:095	890		Amended	588	Effective April 9, 1975.
808 KAR 6:100	890		902 KAR 1:050	103	Effective November 13, 1974.
808 KAR 6:105	890		Amended	589	Effective April 9, 1975.
808 KAR 6:110	891		902 KAR 1:060	104	Effective November 13, 1974.
808 KAR 6:115	891		902 KAR 1:070	104	Effective November 13, 1974.
808 KAR 6:120	891		902 KAR 1:080	637	Effective April 9, 1975.
808 KAR 6:125	891		902 KAR 1:090	637	Effective April 9, 1975.
808 KAR 10:010	1092		902 KAR 1:100	638	Effective April 9, 1975.
808 KAR 10:020	1092		902 KAR 1:110	638	Effective April 9, 1975.
808 KAR 10:030	1094		902 KAR 1:120	638	Effective April 9, 1975.
808 KAR 10:040	1094		902 KAR 1:130	639	Effective April 9, 1975.
808 KAR 10:050	1094		902 KAR 1:140	639	Effective April 9, 1975.
808 KAR 10:060	1095		Amended	985	
808 KAR 10:070	1095		902 KAR 1:150	639	Effective April 9, 1975.
808 KAR 10:080	1095		902 KAR 1:160	1125	
808 KAR 10:090	1095		902 KAR 1:170	1125	
808 KAR 10:100	1095		902 KAR 1:180	1125	
808 KAR 10:110	1096		902 KAR 2:010	186	Effective December 11, 1974.
808 KAR 10:120	1097		902 KAR 2:020	187	Effective December 11, 1974.
808 KAR 10:130	1097		902 KAR 2:030	187	Effective December 11, 1974.
808 KAR 10:140	1097		902 KAR 2:040	188	Effective December 11, 1974.
810 KAR 1:001	891		902 KAR 2:050	188	Effective December 11, 1974.
810 KAR 1:002	892		902 KAR 2:060	188	
810 KAR 1:003	893		Amended	460	Effective March 12, 1975.
810 KAR 1:004	895		902 KAR 2:070	188	Effective December 11, 1974.
810 KAR 1:005	896		902 KAR 2:080	189	Effective December 11, 1974.
810 KAR 1:006	898		902 KAR 3:005	1126	
810 KAR 1:007	900		902 KAR 3:007	1126	
810 KAR 1:008	901		902 KAR 3:010	1127	
810 KAR 1:009	902		902 KAR 3:015	1127	
810 KAR 1:010	903		902 KAR 3:020	1128	
810 KAR 1:011	904		902 KAR 3:025	1128	
810 KAR 1:012	906		902 KAR 3:030	1128	
810 KAR 1:013	907		902 KAR 3:035	1128	
810 KAR 1:014	909		902 KAR 3:040	1128	
810 KAR 1:015	909		902 KAR 3:045	1129	
810 KAR 1:016	910		902 KAR 3:050	1129	
810 KAR 1:017	911		902 KAR 4:010	640	Effective April 9, 1975.
810 KAR 1:018	912		902 KAR 4:020	640	Effective April 9, 1975.
810 KAR 1:019	913		902 KAR 4:030	640	Effective April 9, 1975.
810 KAR 1:020	913		902 KAR 5:010	369	Effective February 5, 1975.
811 KAR 1:005	1097		902 KAR 6:010	1131	
811 KAR 1:010	1098		902 KAR 6:020	1131	
811 KAR 1:015	1099		902 KAR 6:030	1132	
811 KAR 1:020	1102		902 KAR 6:040	1133	
811 KAR 1:025	1102		902 KAR 7:010	641	Effective April 9, 1975.
811 KAR 1:030	1103		902 KAR 10:010	369	Effective February 5, 1975.
811 KAR 1:035	1104		902 KAR 10:020	510	Effective March 12, 1975.
811 KAR 1:040	1105		902 KAR 10:030	511	Effective March 12, 1975.
811 KAR 1:045	1106		902 KAR 10:040	642	
811 KAR 1:050	1107		902 KAR 15:010	369	Effective February 5, 1975.
811 KAR 1:055	1108		902 KAR 15:020	371	Effective February 5, 1975.
811 KAR 1:060	1109		902 KAR 20:007	1134	Effective March 12, 1975.
811 KAR 1:065	1109		902 KAR 20:015	513	Effective March 12, 1975.
811 KAR 1:070	1110		902 KAR 20:020	915	
811 KAR 1:075	1111		902 KAR 20:025	514	Effective March 12, 1975.
811 KAR 1:080	1112		902 KAR 20:030	1134	
811 KAR 1:085	1113		902 KAR 20:035	1137	
811 KAR 1:090	1113		902 KAR 20:050	374	Effective February 5, 1975.
811 KAR 1:095	1114		902 KAR 20:055	1141	
811 KAR 1:100	1115		902 KAR 20:065	521	Effective March 12, 1975.
811 KAR 1:105	1115		902 KAR 20:070	1146	
811 KAR 1:110	1116		902 KAR 20:075	523	Effective March 12, 1975.
811 KAR 1:115	1116		902 KAR 20:080	524	Effective March 12, 1975.
811 KAR 1:120	1117		902 KAR 20:085	526	
811 KAR 1:125	1118		Amended	985	
811 KAR 1:130	1121		902 KAR 20:090	529	Effective March 12, 1975.
811 KAR 1:135	1122		902 KAR 20:095	921	
811 KAR 1:140	1122		902 KAR 20:100	1151	
811 KAR 1:145	1122		902 KAR 20:105	530	
811 KAR 1:150	1122		Amended	985	
811 KAR 1:155	1123		902 KAR 20:110	532	Effective March 12, 1975.
811 KAR 1:160	1123		902 KAR 20:115	1157	
811 KAR 1:165	1123		902 KAR 20:125	533	Effective March 12, 1975.
811 KAR 1:170	1124		902 KAR 45:005	645	Effective April 9, 1975.
811 KAR 1:175	1124		902 KAR 45:010	533	Effective March 12, 1975.
811 KAR 1:180	1124		902 KAR 45:020	534	Effective March 12, 1975.
811 KAR 1:185	1124		902 KAR 45:030	537	Effective March 12, 1975.
811 KAR 1:190	1125		902 KAR 45:040	539	Effective March 12, 1975.
811 KAR 1:195	1125		902 KAR 45:045	542	Effective March 12, 1975.
901 KAR 1:010	634	Effective April 9, 1975.	902 KAR 45:050	543	Effective March 12, 1975.
901 KAR 1:020	634	Effective April 9, 1975.	902 KAR 45:060	547	Effective March 12, 1975.
901 KAR 1:025	634	Effective April 9, 1975.	902 KAR 45:065	550	Effective March 12, 1975.
901 KAR 1:030	635	Effective April 9, 1975.	902 KAR 45:070	552	Effective March 12, 1975.
901 KAR 1:040	635	Effective April 9, 1975.	902 KAR 50:010	279	Effective January 8, 1975.
901 KAR 1:050	635	Effective April 9, 1975.	902 KAR 50:020	280	Effective January 8, 1975.
901 KAR 1:060	635	Effective April 9, 1975.	902 KAR 50:030	284	Effective January 8, 1975.
901 KAR 5:010	636	Effective April 9, 1975.	902 KAR 50:040	287	Effective January 8, 1975.
901 KAR 5:020	636	Effective April 9, 1975.	902 KAR 50:050	288	Effective January 8, 1975.
901 KAR 5:030	636	Effective April 9, 1975.	902 KAR 50:060	293	Effective January 8, 1975.
901 KAR 5:040	636	Effective April 9, 1975.	902 KAR 50:070	293	Effective January 8, 1975.
901 KAR 5:050	636	Effective April 9, 1975.	902 KAR 50:080	293	Effective January 8, 1975.
901 KAR 5:060	637	Effective April 9, 1975.	902 KAR 100:001	380	Effective February 5, 1975.
901 KAR 5:070	637	Effective April 9, 1975.	902 KAR 100:005	380	Effective February 5, 1975.
901 KAR 5:080	637	Effective April 9, 1975.			

Regulation	1 Ky. R. Page No.	Effective Date
902 KAR100:010	381	Effective February 5, 1975.
902 KAR100:015	384	Effective February 5, 1975.
902 KAR100:020	384	Effective February 5, 1975.
902 KAR100:025	388	Effective February 5, 1975.
902 KAR100:030	391	Effective February 5, 1975.
902 KAR100:035	392	Effective February 5, 1975.
902 KAR100:040	394	Effective February 5, 1975.
902 KAR100:045	396	Effective February 5, 1975.
902 KAR100:050	397	Effective February 5, 1975.
902 KAR100:055	400	Effective February 5, 1975.
902 KAR100:060	402	Effective February 5, 1975.
902 KAR100:065	403	Effective February 5, 1975.
902 KAR100:070	403	Effective February 5, 1975.
902 KAR100:075	404	Effective February 5, 1975.
902 KAR100:080	404	Effective February 5, 1975.
902 KAR100:085	405	Effective February 5, 1975.
902 KAR100:090	406	Effective February 5, 1975.
902 KAR100:095	407	Effective February 5, 1975.
902 KAR100:100	408	Effective February 5, 1975.
902 KAR100:105	410	Effective February 5, 1975.
902 KAR100:110	411	Effective February 5, 1975.
902 KAR100:115	412	Effective February 5, 1975.
902 KAR100:120	412	Effective February 5, 1975.
902 KAR100:125	413	Effective February 5, 1975.
902 KAR100:130	415	Effective February 5, 1975.
902 KAR100:135	415	Effective February 5, 1975.
902 KAR100:140	416	Effective February 5, 1975.
902 KAR100:145	417	Effective February 5, 1975.
902 KAR100:150	418	Effective February 5, 1975.
902 KAR100:155	419	Effective February 5, 1975.
902 KAR100:160	420	Effective February 5, 1975.
902 KAR100:165	420	Effective February 5, 1975.
902 KAR100:170	421	Effective February 5, 1975.
902 KAR105:010	1158	
902 KAR105:020	1158	
902 KAR105:030	1159	
902 KAR105:040	1160	
902 KAR105:050	1160	
902 KAR105:060	1161	
902 KAR105:070	1161	
903 KAR 1:010	1161	
904 KAR 1:010E	323	Effective December 13, 1974; Expired April 12, 1975.
904 KAR 1:020E	323	Effective December 13, 1974; Expired April 12, 1975.
904 KAR 2:010	423	Effective February 5, 1975.
905 KAR 1:010	294	Effective January 8, 1975.
905 KAR 1:030	294	Effective January 8, 1975.
905 KAR 1:040	651	Effective April 9, 1975.
905 KAR 1:050	295	Effective January 8, 1975.
905 KAR 1:070	295	Effective January 8, 1975.
905 KAR 1:080	652	Effective April 9, 1975.
905 KAR 1:090	297	Effective January 8, 1975.
905 KAR 2:010	652	
905 KAR 2:020	653	
905 KAR 2:025	654	
905 KAR 2:030	655	
905 KAR 2:035	656	
905 KAR 2:040	656	
905 KAR 2:050	657	

Index

	Page
ACCOUNTANCY	
Board; 201 KAR 1:010.....	1009
Certificate	
Application; 201 KAR 1:050.....	1010
Granting; 201 KAR 1:060.....	1011
Waiver of examination for; 201 KAR 1:055.....	1011
Ethics, code of; 201 KAR 1:095.....	1013
Employees; 201 KAR 1:030.....	1009
Examination	
Application for; 201 KAR 1:035.....	1009
Notice, procedure; 201 KAR 1:040.....	1010
Subjects; grading; 201 KAR 1:045.....	1010
Fees, annual; 201 KAR 1:065.....	1011
Meetings; 201 KAR 1:015.....	1009
Members of board; 201 KAR 1:020.....	1009
Non-resident, practice by; 201 KAR 1:090.....	1012
Partnerships	
Name, use of; 201 KAR 1:080.....	1012
Registration of; 201 KAR 1:075.....	1012
Quorum; 201 KAR 1:025.....	1009
Reinstatement; 201 KAR 1:070.....	1012
Repeal, general; 201 KAR 1:005.....	1009
Titles, confusing; 201 KAR 1:085.....	1012
AD VALOREM TAX	
Administration	
Bank deposits; 103 KAR 5:010.....	1003
Bank shares, valuation; 103 KAR 5:110.....	1005
Banks for cooperatives' reports; 103 KAR 5:080.....	1005
Bond of PVA; 103 KAR 5:050.....	1004
Contract, delinquent tax collector; 103 KAR 5:020.....	1003
Marginal accounts, reports; 103 KAR 5:090.....	1005
Personal property, fiduciary's report; 103 KAR 5:070.....	1004
Production credit associations' reports; 103 KAR 5:080.....	1005
Property valuation administrator's bond; 103 KAR 5:050.....	1004
Savings and loan association's report; 103 KAR 5:080.....	1005
Sheriff's cash book; 103 KAR 5:120.....	1006
Local Assessment	
Annuities, intangible property rights; 103 KAR 7:040.....	1006
County assessment, city adoption of; 103 KAR 7:030.....	1006
Intangible property, trusts as; 103 KAR 7:050.....	1006
Safe deposit boxes, opening of; 103 KAR 7:010.....	1006
State Assessment	
Abandoned property, escheating; 103 KAR 8:040.....	1007
Abandoned property lists, notice; 103 KAR 8:070.....	1008
Escheated property, records; 103 KAR 8:050.....	1007
Pari-mutuel tickets, unclaimed; records, redemption;	
103 KAR 8:060.....	1008
Public service corporations, classification of property;	
103 KAR 8:090.....	1009
Tax bills, preparation of; 103 KAR 8:030.....	1003
Time extension, property tax; 103 KAR 8:020.....	1007
Watercraft, non-resident; 103 KAR 8:010.....	1007
ADMINISTRATIVE REGULATIONS	
Form; amended; 1 KAR 1:010.....	7, 118
Register; amended; 1 KAR 1:010.....	7, 118
ADMINISTRATIVE SERVICES	
Occupations and Professions	
Accountancy; 201 KAR 1:005 to 201 KAR 1:095.....	1009-1013
Auctioneers	
Apprenticeship	
Reciprocity with Indiana; 201 KAR 3:030.....	32
Requirements for principal examination;	
201 KAR 3:010.....	32
Residence requirements; 201 KAR 3:020.....	32
Licenses and Licensees	
Accounting of funds; 201 KAR 3:050.....	32
Non-cancellation during active military duty;	
201 KAR 3:040.....	32
Real estate, sale of at auction; 201 KAR 3:060.....	32
Barbering	
Administrator's duties; 201 KAR 14:010.....	723
Advertising, school; 201 KAR 14:100.....	728
Advertising, shop; 201 KAR 14:080.....	726
Apprentice examination; retaking; 201 KAR 14:015.....	723
Apprentice license; qualifications; 201	
KAR 14:050.....	725
Apprentices, number per shop; 201 KAR 14:080.....	726
Demonstration permit; 201 KAR 14:025.....	724
Examination; school, board; 201 KAR 14:115.....	729
High school transcript; GED; 201 KAR 14:120.....	729
License, five-year expiration; 201 KAR 14:030.....	724
License, permanent after apprenticeship;	
201 KAR 14:055.....	725
License, school; 201 KAR 14:140.....	730
License, shop; 201 KAR 14:070.....	725
Licensing qualified non-residents; 201 KAR 14:060.....	725
Location, new, notification of; 201 KAR 14:045.....	724
Place of business requirements; 201 KAR 14:065.....	725
Procedure before board; 201 KAR 14:015.....	723
Sanitation requirements; 201 KAR 14:085.....	726
Sanitation, school; 201 KAR 14:155.....	731
School, accredited; 201 KAR 14:095.....	728
School attendance, hours; 201 KAR 14:135.....	730
School curriculum; 201 KAR 14:090.....	726

Page

Page

School equipment, plant layout; 201 KAR 14:110.....	728
School fees for services; 201 KAR 14:130.....	730
School, new locations; 201 KAR 14:145.....	730
School records; 201 KAR 14:150.....	731
Shops, schools; inspection of; 201 KAR 14:040.....	724
Shops, schools; public identification; 201 KAR 14:035.....	724
Student application, medical certificate; 201 KAR 14:105.....	728
Student regulations; 201 KAR 14:160.....	731
Students, number per instructor; 201 KAR 14:165.....	732
Teachers, instructors; requirements; 201 KAR 14:125.....	730
Business Schools	
Authority after licensure; 201 KAR 4:030.....	240
Bonding requirements; 201 KAR 4:020.....	240
Inspection; requirements; 201 KAR 4:040.....	240
Refund policy requirements; 201 KAR 4:060.....	240
Dentistry	
Applicant; requirements; 201 KAR 8:180.....	339
Application prior to graduation; 201 KAR 8:170.....	339
Auxiliary personnel; 201 KAR 8:135.....	337
Business, order of; 201 KAR 8:090.....	336
Clinical examination; 201 KAR 8:220.....	340
Clinical demonstration; 201 KAR 8:240.....	340
County registration; hygienists; 201 KAR 8:300.....	342
Dental hygiene; application; 201 KAR 8:260.....	340
Duplicate license certificate; 201 KAR 8:250.....	340
Duplicate license; hygienists; 201 KAR 8:310.....	342
Education; continuing; 201 KAR 8:140; 201 KAR 8:140E.....	447, 348
Education requirement; specialties; 201 KAR 8:345.....	344
Examination, application; 201 KAR 8:150.....	338
Examination committee; 201 KAR 8:190.....	339
Examination, qualifications; 201 KAR 8:160.....	339
Examination questions, release of; 201 KAR 8:200.....	340
Examination questions; review, approval; 201 KAR 8:210.....	340
Grade requirement; dental hygiene; 201 KAR 8:270.....	342
Grade requirement; written, clinical; 201 KAR 8:185; 201 KAR 8:277.....	592
Hygienists' official register; 201 KAR 8:290.....	342
Hygienists' re-examination; 201 KAR 8:280.....	342
Interim administration; 201 KAR 8:100.....	336
Licensure, special; 201 KAR 8:120.....	336
Meeting, annual; 201 KAR 8:080.....	336
Notice of place of employment; hygienists; 201 KAR 8:320.....	342
Oath of office; 201 KAR 8:010.....	334
Organization; officers; 201 KAR 8:020.....	335
President, duties; 201 KAR 8:030.....	335
Re-examination; when; 201 KAR 8:230.....	340
Register; specialists; 201 KAR 8:355.....	344
Repayment contract; scholarship; 201 KAR 8:380.....	344
Retirement, reinstatement; hygienists; 201 KAR 8:330.....	342
Rules of order; 201 KAR 8:060.....	335
Rules and regulations; amendments to; 201 KAR 8:110.....	336
Salaries; office location; 201 KAR 8:050.....	335
Secretary-treasurer, duties; 201 KAR 8:040.....	335
Scholarship; administration; 201 KAR 8:375.....	344
Scholarship contract form; 201 KAR 8:385.....	344
Specialty application; examination; amended; 201 KAR 8:340.....	343, 586
Specialty grade requirement; 201 KAR 8:350.....	344
Vacancies, how filled; 201 KAR 8:070.....	336
Vice-president, duties; 201 KAR 8:035.....	335
X-rays, by assistants; 201 KAR 8:130.....	337
Embalmers and Funeral Directors; 201 KAR 15:010 to 201 KAR 15:080.....	1013-1014
Engineers and Land Surveyors; 201 KAR 18:010 to 201 KAR 18:130.....	1018-1020
Hairdressers and Cosmetologists	
Apprentice's duties; 201 KAR 12:010.....	720
Apprentice ratio to operators; 201 KAR 12:040.....	720
Examination; 201 KAR 12:020.....	720
Identification; shop, school; 201 KAR 12:080.....	721
Inspections; 201 KAR 12:060.....	721
License required; 201 KAR 12:030.....	720
Reciprocity; fees; 201 KAR 12:050.....	599
Hearing Aid Dealers	
Board, annual meeting; 201 KAR 7:052.....	241
Examination after training requirement; 201 KAR 7:125.....	241
Training requirement completion; certification; 201 KAR 7:122.....	241
Landscape Architects	
Applications; 201 KAR 10:040.....	594
Board duties; 201 KAR 10:010.....	592
Ethics, code of; 201 KAR 10:030.....	593
Fees; 201 KAR 10:050.....	594
Hearings; 201 KAR 10:020.....	593
Renewals; 201 KAR 10:060.....	594
Seals; 201 KAR 10:070.....	594
Medical Licensure	
Conduct, code of; 201 KAR 9:010.....	470
Examination; 201 KAR 9:030.....	472
Hearing procedures; 201 KAR 9:080.....	473
License fees; 201 KAR 9:040.....	472
License renewal; 201 KAR 9:050.....	472
Licenses, limited; 201 KAR 9:060.....	472
Licensing qualification; 201 KAR 9:020.....	470
Permits; temporary, emergency; 201 KAR 9:070.....	473

Physio-therapeutics practice; 201 KAR 9:090.....	474
Probation, suspension, revocation; 201 KAR 9:080.....	473
Registration, annual; 201 KAR 9:050.....	472
Schools, approved; 201 KAR 9:020.....	470
Nursing Home Administrators Licensure; 201 KAR 6:010.....	61
Ophthalmic Dispensers	
Apprentices; 201 KAR 13:050.....	722
Boards; powers, duties, meetings; 201 KAR 13:010.....	721
Dispensing defined; 201 KAR 13:020.....	721
Contact lens fitting; 201 KAR 13:030.....	722
Licensing; application, examination; 201 KAR 13:040.....	722
Military service; 201 KAR 13:060.....	722
Permit, temporary; 201 KAR 13:040.....	722
Reciprocity; 201 KAR 13:060.....	723
Revocation of license; 201 KAR 13:070.....	723
Optometric Examiners	
Annual course of study required; 201 KAR 5:030.....	61
Branch offices; 201 KAR 5:050.....	719
Conduct; 201 KAR 5:040.....	719
Examination, application for; 201 KAR 5:010.....	718
Pharmacy	
Dispensing responsibilities; 201 KAR 2:095.....	718
Examinations; 201 KAR 2:020.....	9
Fees, licenses and permits; 201 KAR 2:050.....	10
Intermediary services restricted; 201 KAR 2:070.....	10
Interns, registration of; 201 KAR 2:040.....	9
License renewal; 201 KAR 2:055.....	147
Pocket certificates; 201 KAR 2:060.....	10
Prescription equipment; 201 KAR 2:090.....	147
Prescription substitution; 201 KAR 2:080.....	147
Reciprocity; 201 KAR 2:030.....	147
Reference material; 201 KAR 2:090.....	147
Revival fee; 201 KAR 2:055.....	147
Schools, approved by; 201 KAR 2:010.....	9
Safety, control; drugs, prescriptions; 201 KAR 2:100.....	718
Temporary license; 201 KAR 2:030.....	147
Real Estate Commission	
Advertising, brokers name on; 201 KAR 11:060.....	596
Auction obligations; 201 KAR 11:115.....	598
Branch offices; 201 KAR 11:070.....	597
Broker licensing of salesman; 201 KAR 11:135.....	599
Broker-salesman, defined; 201 KAR 11:120.....	598
Broker's interest disclosure; 201 KAR 11:075.....	597
Broker's requirements, not regularly in business; 201 KAR 11:080.....	597
Broker's sign; 201 KAR 11:055.....	596
Builder defined; 201 KAR 11:150.....	599
Builder-developer; rule compliance; 201 KAR 11:155.....	599
Classroom instruction required; 201 KAR 11:010.....	595
Closing statements; 201 KAR 11:095.....	597
Complaints, resolving; 201 KAR 11:130.....	598
Conduct when managing property; 201 KAR 11:085.....	597
Contracts to contain financing provisions; 201 KAR 11:040.....	596
Exclusive authority, retention of; 201 KAR 11:100.....	598
Financing provisions, contracts to contain; 201 KAR 11:040.....	596
Hearings; 201 KAR 11:160.....	599
Instruction, salesman to complete; 201 KAR 11:125.....	598
Instruments, disposition; 201 KAR 11:090.....	597
License application; 201 KAR 11:005.....	595
License cancellation, reasons; 201 KAR 11:030.....	595
Licenses, complaints against; 201 KAR 11:035.....	596
Military duty, renewal after; 201 KAR 11:025.....	595
Net listing requirements; 201 KAR 11:050.....	596
Owner's consent, authorization; 201 KAR 11:105.....	598
Reciprocal agreement, fee not reduced; 201 KAR 11:020.....	595
Re-examination after failure; 201 KAR 11:015.....	595
Rental management agreements; 201 KAR 11:095.....	597
Salesman as broker, when; 201 KAR 11:140.....	599
Salesman terminating employment; 201 KAR 11:145.....	599
Trust, agency accounts, required; 201 KAR 11:065.....	597
Written offers, submission of; 201 KAR 11:045.....	596
Speech pathology and Audiology Examiners; 201 KAR 17:010 to 201 KAR 17:060.....	1016-1018
Veterinary Examiners; 201 KAR 16:010 to 201 KAR 16:030.....	1014-1016

AERONAUTICS AND AIRPORT ZONING

Air Carriers

Application for; 602 KAR 1:010.....	15
Certificates; limitations and conditions; 602 KAR 1:050.....	627
Charter permit application; 602 KAR 1:015.....	1040
Hearings on; amended; 602 KAR 1:020.....	15, 972
Insurance and indemnity bond requirements; 602 KAR 1:040.....	36
Operation of aircraft in intrastate air commerce; amended; 602 KAR 1:030.....	36, 213
Operations; monthly report; 602 KAR 1:070.....	630
Schedule reporting; 602 KAR 1:080.....	630
Service requirements; 602 KAR 1:060.....	630
Tariff hearing procedures; 602 KAR 1:025.....	627
Airport Boards	
Commuter service; reimbursement for; 602 KAR 10:010.....	631
Airport Safety Standards	
Basic-general transports; 602 KAR 20:080.....	1042
Basic Utility	
Stage I; 602 KAR 20:050.....	1041
Stage II; 602 KAR 20:060.....	1042

Definitions; 602 KAR 20:010.....	1040
General utility airports; 602 KAR 20:070.....	1042
Landing area designation; 602 KAR 20:020.....	1041
Landing strips; 602 KAR 20:040.....	1041
Scheduled air carrier airports; 602 KAR 20:090.....	1042
Standards; all airports; 602 KAR 20:030.....	1041
Airport Zoning Commission	
Administration; 602 KAR 50:020.....	1043
Application procedure; 602 KAR 50:090.....	1044
Construction, inside conical surface; 602 KAR 50:060.....	807
Construction, outside conical surface; 602 KAR 50:070.....	807
Definitions; 602 KAR 50:010.....	806
Hearing procedures; 602 KAR 50:120.....	808
Jurisdiction; 602 KAR 50:030.....	807
Land uses; 602 KAR 50:040.....	1043
Map; 602 KAR 50:050.....	1043
Marking, lighting; 602 KAR 50:100.....	807
Permit application; 602 KAR 50:080.....	1044
Permit period; alteration, construction; 602 KAR 50:110.....	808

AGRICULTURAL EXPERIMENT STATION

Feed, Commercial	
Additives; 12 KAR 2:041.....	1000
Definitions; 12 KAR 2:006.....	998
Directions; precautions; 12 KAR 2:031.....	1000
Guarantees; 12 KAR 2:021.....	999
Ingredients; 12 KAR 2:026.....	999
Label format; 12 KAR 2:011.....	998
Manufacturers, list of; 12 KAR 2:056.....	1001
Manufacturing conditions; 12 KAR 2:051.....	1001
Name; brand, product; 12 KAR 2:016.....	999
Nitrogen, non-protein; 12 KAR 2:036.....	1000
Registration; 12 KAR 2:061.....	1001
Substances; poisonous, deleterious; 12 KAR 2:046.....	1000

Pet Food

Additives; 12 KAR 3:037.....	1003
Definitions, terms; 12 KAR 3:007.....	1001
Guarantees; 12 KAR 3:022.....	1002
Ingredients; 12 KAR 3:027.....	1003
Labeling, uniform; 12 KAR 3:012.....	1001
Names; brand, product; 12 KAR 3:017.....	1002
Use directions; 12 KAR 3:032.....	1003

Seed

Analyzing; 12 KAR 1:010.....	994
Charges, schedule of; 12 KAR 1:105.....	997
Containers, hermetically sealed; 12 KAR 1:040.....	995
Definitions; 12 KAR 1:005.....	994
Germination, current; relabeling; 12 KAR 1:050.....	995
Germination, minimum; 12 KAR 1:030.....	995
Germination test date; 12 KAR 1:035.....	995
Hard and dormant seed; 12 KAR 1:045.....	995
Identification; 12 KAR 1:055.....	995
Illegal labeling, sales; 12 KAR 1:085.....	997
Impounded; 12 KAR 1:095.....	997
Labeling, types; tag form; 12 KAR 1:075.....	996
Labeling, when delivered to wholesaler; 12 KAR 1:060.....	995
Lawn, turf mixtures; labeling; 12 KAR 1:065.....	996
Noxious-weed seed; 12 KAR 1:020.....	994
Records; 12 KAR 1:100.....	997
Sampling; 12 KAR 1:010.....	994
Stop sale orders; 12 KAR 1:090.....	997
Tags, permit to use own; 12 KAR 1:080.....	996
Terms; testing, labeling; 12 KAR 1:015.....	994
Testing; 12 KAR 1:010.....	994
Tolerances; 12 KAR 1:010.....	994
Treated seed label; 12 KAR 1:070.....	996
Weed seed, content permitted; 12 KAR 1:025.....	994

AGRICULTURE

Egg marketing	
Appeal procedures; 302 KAR 10:050.....	735
Consumer grades; 302 KAR 10:060.....	736
Definitions; 302 KAR 10:010.....	734
Inedible; 302 KAR 10:020.....	735
License refusal, revocation, suspension; 302 KAR 10:040.....	735
Quality standards; 302 KAR 10:070.....	736
Sampling; 302 KAR 10:030.....	735
Shell, albumin, yolk specifications; 302 KAR 10:080.....	736
Unclassified; 302 KAR 10:090.....	737
Fairs and Shows	
Beef cattle; shows, sales; 302 KAR 15:030.....	1024
Dairy cattle; shows, sales; 302 KAR 15:020.....	1023
State aid to local fairs; 302 KAR 15:010.....	1022
Grain Storage	
Inspection; 302 KAR 35:040.....	1029
Inventory shortage; 302 KAR 35:050.....	1029
License	
Application; 302 KAR 35:010.....	1028
Required for each location; 302 KAR 35:020.....	1029
Records; 302 KAR 35:030.....	1029
Livestock Fund; Dog Damage	
Claim filing; 302 KAR 5:020.....	733
Claims, payment; 302 KAR 5:060.....	734
Definitions; 302 KAR 5:010.....	733
Evaluation table; 302 KAR 5:040.....	734
Inspection by fieldmen; 302 KAR 5:030.....	734
Insurance coverage; 302 KAR 5:050.....	734
License issuance; 302 KAR 5:070.....	734
Livestock Sanitation	
Authority to inspect, test; 302 KAR 20:030.....	738
Biological; 302 KAR 20:090.....	744
Carcasses; 302 KAR 20:050.....	740
Definitions; 302 KAR 20:010.....	737

Entry into state; 302 KAR 20:040.....	739
Garbage; 302 KAR 20:100.....	744
General requirements; 302 KAR 20:020.....	738
Sales, exhibitions; 302 KAR 20:060.....	741
Stockyards; 302 KAR 20:070.....	742
Swine; 302 KAR 20:080.....	743
Milk Marketing	
Competition, equipment; 302 KAR 25:025.....	1026
Definitions; 302 KAR 25:005.....	1025
Discounts; 302 KAR 25:035.....	1026
Government agencies; sales to; 302 KAR 25:065.....	1027
Price schedule filing; 302 KAR 25:075.....	1027
Prohibited practices; 302 KAR 25:015.....	1026
Retailer defined; 302 KAR 25:085.....	1028
Special prices; 302 KAR 25:055.....	1027
Stamps, coupons, redemptions; 302 KAR 25:045.....	1027
Violations, penalties; 302 KAR 25:095.....	1028
Soybeans	
Referendum; 302 KAR 1:010.....	150
Weights and Measures	
General	
Limestone; 302 KAR 77:020.....	754
Tobacco sales fees; 302 KAR 77:010.....	754
Method of Sale	
Coatings, sealants; 302 KAR 76:015.....	752
Combination quantity declarations; 302 KAR 76:075.....	753
Food products; 302 KAR 76:005.....	751
Lumber, softwood; 302 KAR 76:025.....	752
Machine vended commodities; 302 KAR 76:065.....	753
Peat and peat moss; 302 KAR 76:035.....	752
Price presentation; 302 KAR 76:085.....	754
Railroad car tare weights; 302 KAR 76:055.....	753
Roofing materials; 302 KAR 76:045.....	753
Packaging and Labeling	
Application; 302 KAR 75:010.....	744
Consumer package quantity; 302 KAR 75:060.....	745
Definitions; 302 KAR 75:020.....	745
Exemptions; 302 KAR 75:110.....	749
Identity; 302 KAR 75:030.....	745
Non-consumer package quantity; 302 KAR 75:070.....	747
Prominence, placement; 302 KAR 75:080.....	747
Responsibility; 302 KAR 75:050.....	745
Specific commodities; 302 KAR 75:100.....	748
Variations allowed; 302 KAR 75:120.....	751

AIR POLLUTION

Ambient air quality; 401 KAR 3:020.....	604
Emergency episodes; 401 KAR 3:030.....	605
Existing source standards; 401 KAR 3:060.....	619
General provisions; 401 KAR 3:010.....	601
Hazards; emission standards; 401 KAR 3:040.....	607
Indirect source; 401 KAR 3:070.....	625
New source standards; 401 KAR 3:050.....	610

ALCOHOL, DRUGS AND OCCUPATIONAL PROGRAMS

(See: Health Services)

ALCOHOLIC BEVERAGE CONTROL

Administrators, Local	
City administrator; 804 KAR 10:020.....	847
County administrator; 804 KAR 10:010.....	846
Advertising Distilled Spirits and Wine	
Brands, prohibition on promotion; 804 KAR 1:050.....	51
Novelties and specialties; 804 KAR 1:040.....	51
Prohibited advertising; 804 KAR 1:080.....	840
Prohibited statements; 804 KAR 1:030.....	51
Samples; 804 KAR 1:070.....	840
Signs, inside; 804 KAR 1:010.....	50
Signs, outside, 1st and 2nd class cities; 804 KAR 1:020.....	50
Solicitation; 804 KAR 1:060.....	52
Advertising Malt Beverages	
Novelties and specialties; 804 KAR 2:025.....	633
Outside signs; 1st and 2nd class cities; 804 KAR 2:005.....	632
Prohibited statements; 804 KAR 2:015.....	632
Alcoholic Beverage Control Board	
Procedures; 804 KAR 6:010.....	842
Conduct of Business; Employees	
Entertainment requirements; 804 KAR 5:060.....	842
Gambling stamps; 804 KAR 5:050.....	842
Minors defined; 804 KAR 5:040.....	842
Personnel prohibitions; 804 KAR 5:030.....	841
Solicitors; 804 KAR 5:010.....	841
Unemployables; 804 KAR 5:020.....	841
Distilled Spirits Container Size	
One-tenth gallon; 804 KAR 12:010.....	847
Fair Trade, Pricing and Sales	
Advertising retail price; 804 KAR 3:070.....	167
Cash sales; 804 KAR 3:080.....	168
Close-out sales; 804 KAR 3:040.....	167
Distilled spirits, minimum case values; 804 KAR 3:010.....	52
Private clubs, associations, cash sales to; 804 KAR 3:090.....	852
Resale prices, minimum; 804 KAR 3:020; amended;.....	52, 325
Retail sales prohibitions; 804 KAR 3:100.....	853
Taxes included in retail price; 804 KAR 3:060.....	167
Transportation charges; 804 KAR 3:050.....	167
Wine, minimum wholesale price; 804 KAR 3:030.....	167
Licensing	
Beer storage; 804 KAR 4:130.....	357
Beer transporter; 804 KAR 4:160.....	357
Bottling house storage; 804 KAR 4:040.....	354

	Page
Citation request; 804 KAR 4:150.....	357
Distributors' storage; 804 KAR 4:140.....	357
Dormant license renewal; 804 KAR 4:110.....	356
Freight forwarders; 804 KAR 4:180.....	358
Industrial alcohol; 804 KAR 4:070.....	355
Information required; 804 KAR 4:010.....	353
Military reservations; 804 KAR 4:080.....	355
Miniature vendor; 804 KAR 4:060.....	355
Non-resident, special agent, solicitor; 804 KAR 4:020.....	354
Out-of-state brewers bond; 804 KAR 4:190.....	358
Records, retention; 804 KAR 4:100.....	356
Rectifying plants, bottling permitted; 804 KAR 4:050.....	355
Retail beer applications; 804 KAR 4:120.....	356
Stock transfer; 804 KAR 4:090.....	355
Through transporter; 804 KAR 4:170.....	358
Transport permit; non-resident licensee; 804 KAR 4:030.....	354
Warehouses; 804 KAR 4:200.....	358
Salt Beverage Equipment, Supplies and Service	
Container charge, deposit; 804 KAR 11:020.....	847
Equipment and supplies; 804 KAR 11:010.....	847
Quotas	
Beer distribution license; 804 KAR 9:030.....	846
Retail liquor license; 804 KAR 9:010.....	846
Wholesale liquor license; 804 KAR 9:020.....	846
Retail Premises	
License number, display of; 804 KAR 7:050.....	844
Location, 1st class cities; 804 KAR 7:010.....	843
Locked department; 804 KAR 7:030.....	844
Retail license; restaurant; 804 KAR 7:040.....	844
Stock, during suspension; 804 KAR 7:020.....	844
Transportation of Alcoholic Beverages	
Boatlines' qualifications; 804 KAR 8:030.....	845
Common carrier; 804 KAR 8:010.....	844
Ineligibility; 804 KAR 8:060.....	846
License, transporters'; 804 KAR 8:020.....	845
Nearest depot, retail licensee; 804 KAR 8:040.....	845
Signs on vehicle; 804 KAR 8:050.....	845
ATTORNEY GENERAL	
Opinions	
Conditions for furnishing; amended; 40 KAR 1:010.....	8, 118
Requests for; amended; 40 KAR 1:020.....	8, 118
AUCTIONEERS	
Accounting of funds by; 201 KAR 3:050.....	32
Apprenticeship requirements for principal examination;	
201 KAR 3:010.....	32
Non-cancellation of license during active military duty;	
201 KAR 3:040.....	32
Reciprocity with Indiana residents; 201 KAR 3:030.....	32
Residence requirements for apprentices; 201 KAR 3:020.....	32
Sale of real estate at auction; 201 KAR 3:060.....	32
AVIATION	
(see Aeronautics)	
BANKING AND SECURITIES	
Administration	
Definitions; 808 KAR 1:010.....	885
Excess funds transactions; 808 KAR 1:020.....	885
Articles of Incorporation, amendment; 808 KAR 1:030.....	885
Hearing procedures; 808 KAR 1:040.....	885
Records retention; 808 KAR 1:050.....	886
Cemeteries	
Merchandise trust fund; 808 KAR 2:025.....	886
Reports, annual; 808 KAR 2:015.....	886
Credit Unions	
Conduct, regulation; 808 KAR 3:010.....	886
Finance Charges	
Permitted charges; 808 KAR 4:015.....	887
Industrial Loans	
Advertising; 808 KAR 5:030.....	888
Records; retention, examination; 808 KAR 5:040.....	888
Restrictions; 808 KAR 5:020.....	888
Solicitation conduct; 808 KAR 5:010.....	888
Securities	
Advisers' records; 808 KAR 10:110.....	1096
Amendments to statement; 808 KAR 10:130.....	1097
Application	
Abandoned; 808 KAR 10:060.....	1095
Withdrawal; 808 KAR 10:050.....	1094
Application, registration, reporting; 808 KAR 10:020.....	1092
Broker-dealer records; 808 KAR 10:100.....	1095
Conduct defined; 808 KAR 10:040.....	1094
Employee's conduct; 808 KAR 10:030.....	1094
Guidelines; 808 KAR 10:080.....	1095
Net capital, broker-dealer; 808 KAR 10:010.....	1092
Registration files; 808 KAR 10:120.....	1097
Reports; 808 KAR 10:090.....	1095
Signature requirements; 808 KAR 10:070.....	1095
Statements to be current; 808 KAR 10:140.....	1097
Small Loans	
Advertising	
Accurate statements; 808 KAR 6:065.....	889
Examination of; 808 KAR 6:055.....	889
False or misleading; 808 KAR 6:080.....	890
Limitations; 808 KAR 6:050.....	889
Prohibited statements; 808 KAR 6:070.....	889
Rates; 808 KAR 6:060.....	889
Business place, hours; 808 KAR 6:100.....	890
Definition of business; 808 KAR 6:010.....	889
Dual lending business; 808 KAR 6:005.....	888
Laws, knowledge of; 808 KAR 6:100.....	890

	Page
Monetary inducements; 808 KAR 6:125.....	891
Mortgaged property, sale of; 808 KAR 6:120.....	891
Note reduced to judgment; 808 KAR 6:115.....	891
Power of attorney; 808 KAR 6:090.....	890
Records required; 808 KAR 6:105.....	890
Reports, annual; 808 KAR 6:110.....	891
Restrictions; 808 KAR 6:020.....	889
Solicitation moratorium; 808 KAR 6:075.....	890
BARBERING	
Administrator's duties; 201 KAR 14:010.....	723
Advertising	
School; 201 KAR 14:100.....	728
Shop; 201 KAR 14:080.....	726
Apprentices	
Examination, retaking; 201 KAR 14:015.....	723
License; qualifications; 201 KAR 14:050.....	725
Number per shop; 201 KAR 14:080.....	726
Demonstration permit; 201 KAR 14:025.....	724
Examinations; school, board; 201 KAR 14:115.....	729
High school transcript; GED; 201 KAR 14:120.....	729
Licenses	
Five-year expiration; 201 KAR 14:030.....	724
Permanent after apprenticeship; 201 KAR 14:055.....	725
Qualified non-residents; 201 KAR 14:060.....	725
School; 201 KAR 14:140.....	730
Shop; 201 KAR 14:070.....	725
Locations, new, notification of; 201 KAR 14:045.....	724
Place of business requirements; 201 KAR 14:065.....	725
Procedure before board; 201 KAR 14:015.....	723
Sanitation requirements; 201 KAR 14:035.....	726
Sanitation, school; 201 KAR 14:155.....	731
School	
Accredited; 201 KAR 14:095.....	728
Attendance, hours; 201 KAR 14:135.....	730
Curriculum; 201 KAR 14:090.....	726
Equipment, plant layout; 201 KAR 14:110.....	728
Fees for services; 201 KAR 14:130.....	730
New locations; 201 KAR 14:145.....	730
Records; 201 KAR 14:150.....	731
Shops, schools; inspection of; 201 KAR 14:040.....	724
Shops, schools; public identification; 201 KAR 14:035.....	724
Students	
Application; medical certificate; 201 KAR 14:105.....	728
Number per instructor; 201 KAR 14:165.....	732
Regulations; 201 KAR 14:160.....	731
Teachers, instructors; requirements; 201 KAR 14:125.....	730
BOATS AND BOATING	
(See Vehicle Regulation; Water Enforcement)	
BUSINESS AND PROFESSIONAL REGULATIONS	
Accountancy; 201 KAR 1:120.....	3
Auctioneers; 201 KAR 3:010 to 201 KAR 3:060.....	32
Barbering; 201 KAR 14:010 to 201 KAR 14:165.....	723-732
Business Schools; 201 KAR 4:020 to 201 KAR 4:060.....	240
Dentistry; 201 KAR 8:010 to 201 KAR 8:385.....	334-344
Hairdressers and Cosmetologists; 201 KAR 12:010 to	
201 KAR 12:080.....	599, 720-721
Hearing Aid Dealers; 201 KAR 7:052; 201 KAR 7:122;	
201 KAR 7:125.....	241
Landscape Architects; 201 KAR 10:010 to	
201 KAR 10:070.....	592-594
Medical Licensure; 201 KAR 9:010 to 201 KAR 9:090.....	470-474
Nursing Home Administrators; 201 KAR 6:010.....	61
Optometric Examiners; 201 KAR 5:010 to 201 KAR 5:050.....	61
Pharmacy; 201 KAR 2:010 to 201 KAR 2:070; 201 KAR 2:080;	
201 KAR 2:100.....	9, 10, 147, 713
BUSINESS SCHOOLS	
Authority after licensure; 201 KAR 4:030.....	240
Bonding requirements; 201 KAR 4:020.....	240
Inspection; requirements; 201 KAR 4:040.....	240
Refund policy requirements; 201 KAR 4:060.....	240
CERTIFICATE OF NEED AND LICENSURE	
Alcohol detoxification centers; 902 KAR 20:110.....	532
Ambulatory surgical center facilities; 902 KAR 20:100.....	1151
Ambulatory surgical center services; amended;	
902 KAR 20:105.....	530, 989
Certificate of need; 902 KAR 20:005.....	512
Day health care program; 902 KAR 20:065.....	521
Developmentally disabled; special services; amended;	
902 KAR 20:085.....	526, 985
Emergency care; ambulance service; 902 KAR 20:115.....	1157
Extended care, recuperation, services;	
902 KAR 20:025.....	514
Home health agencies; 902 KAR 20:080.....	524
Hospital services; operations; 902 KAR 20:015.....	513
Intermediate care facilities; 902 KAR 20:050.....	374
Intermediate care facilities; construction, alteration;	
902 KAR 20:055.....	1141
Licenses, fees; 902 KAR 20:007.....	1134
Mental health, mental retardation; community	
services; 902 KAR 20:090.....	529
Mentally retarded; special services;	
902 KAR 20:085.....	526
Outpatient clinics; ambulatory care facilities;	
902 KAR 20:070.....	1146
Outpatient clinics; ambulatory care services;	
902 KAR 20:075.....	523
Personal Care Homes	
Construction, alteration; 902 KAR 20:035.....	1137

	Page		Page
Home health agencies; 902 KAR 20:080.....	524	Notices, reports, instructions to employees; 902 KAR 100:165.....	420
Hospital services; operations; 902 KAR 20:015.....	513	Particle accelerator; 902 KAR 100:155.....	419
Intermediate care facilities; 902 KAR 20:050.....	374	Plan review; 902 KAR 100:160.....	420
Intermediate care facilities; construction, alteration; 902 KAR 20:055.....	1141	Posting, disposal; 902 KAR 100:030.....	391
Licenses, fees; 902 KAR 20:007.....	1134	Proceedings; 902 KAR 100:170.....	421
Mental health, mental retardation, community services; 902 KAR 20:090.....	529	Quantities, exempt; 902 KAR 100:080.....	404
Mentally retarded; special services; amended; 902 KAR 20:085.....	526, 985	Reciprocal recognition; 902 KAR 100:065.....	403
Outpatient clinics; ambulatory care facilities; 902 KAR 20:070.....	1146	Repeals; 902 KAR 100:001.....	380
Outpatient clinics; ambulatory care services; 902 KAR 20:075.....	523	Sealed sources; 902 KAR 100:095.....	407
Personal care homes		Standards; 902 KAR 100:020.....	384
Construction, alteration; 902 KAR 20:035.....	1137	Therapy; 902 KAR 100:135.....	415
Services; 902 KAR 20:030.....	1134	Transport; 902 KAR 100:035.....	392
Communicable Diseases		Transportation, intrastate; 902 KAR 100:070.....	403
Carriers, groups; screening; 902 KAR 2:040.....	188	Veterinarians; 902 KAR 100:140.....	416
Control methods; 902 KAR 2:010.....	186	X-ray, diagnostic; 902 KAR 100:115.....	412
Control procedures; 902 KAR 2:030.....	187	X-ray, fluoroscopic; 902 KAR 100:125.....	413
Control procedures, application; 902 KAR 2:050.....	188	X-ray, general; 902 KAR 100:105.....	410
Definitions; 902 KAR 2:010.....	186	X-ray, microscopic analytical; 902 KAR 100:150.....	418
Immunization schedules; 902 KAR 2:060; amended;.....	188, 460	X-ray, registration; 902 KAR 100:110.....	411
Inspections; 902 KAR 2:030.....	187	X-ray, special; 902 KAR 100:120.....	412
Rabies control; 902 KAR 2:070.....	188	Regional Mental Health - Mental Retardation Boards	
Reportable; 902 KAR 2:020.....	187	Authority; 902 KAR 6:010.....	1131
Surveillance; 902 KAR 2:040.....	188	Hospital districts; 902 KAR 6:040.....	1133
Venereal disease; 902 KAR 2:080.....	189	Personnel rules; 902 KAR 6:020.....	1131
Drug Formulary		Structure, operation; grant eligibility; 902 KAR 6:030.....	1132
Ampicillin; amended; 902 KAR 1:020.....	101, 587	Sanitation	
Chlorpromazine Hydrochloride; 902 KAR 1:130.....	639	Frozen food locker plants; 902 KAR 10:020.....	510
Diphenhydramine; 902 KAR 1:110.....	638	Public rest rooms; 902 KAR 10:010.....	369
Generic, distribution of; 902 KAR 1:010.....	101	Sanitarians; 902 KAR 10:030.....	511
Hydrochlorothiazide; 902 KAR 1:150.....	639		
Erythromycin; amended; 902 KAR 1:030.....	102, 588	HEARING AID DEALERS	
Oxytetracycline Hydrochloride; 902 KAR 1:160.....	1125	Board, annual meeting; 201 KAR 7:052.....	241
Penicillin-3; amended; 902 KAR 1:040.....	102, 588	Examination after training requirement; 201 KAR 7:125.....	241
Penicillin-V; amended; 902 KAR 1:050.....	103, 589	Training requirement completion; certification; 201 KAR 7:122.....	241
Procaine Hydrochloride; 902 KAR 1:120.....	638		
Propoxyphene Hydrochloride; 902 KAR 1:170.....	1125	HIGHER EDUCATION	
Risperine; 902 KAR 1:100.....	638	Education Assistance Authority	
Sodium Pentobarbital; 902 KAR 1:060.....	104	Student incentive grants; 11 KAR 1:010; 11 KAR 1:010E.....	30, 22
Sodium Secobarbital; 902 KAR 1:070.....	104		
Sulfisoxazole; amended; 902 KAR 1:140.....	639, 985	HIGHWAYS	
Tetracycline Hydrochloride; 902 KAR 1:180.....	1125	Construction and Materials	
Trisulfapyrimidine; 902 KAR 1:090.....	637	Bidding on materials; 603 KAR 1:030.....	809
Food and Cosmetics		Contract price retainage, release; 603 KAR 1:010.....	808
Bakery products; 902 KAR 45:030.....	537	Driveway approaches; 603 KAR 1:020.....	809
Carbonated beverages; 902 KAR 45:040.....	539	Maintenance	
Cosmetic packaging and labeling; 902 KAR 45:060.....	547	Abandoned vehicles; 603 KAR 3:040.....	814
Definitions; 902 KAR 45:010.....	533	Advertising devices; 603 KAR 3:010; 603 KAR 3:020.....	810, 812
Food packaging and labeling; 902 KAR 45:050.....	543	Junkyards; 603 KAR 3:050.....	815
Food service code; 902 KAR 45:005.....	645	Primary classifications; 603 KAR 3:030.....	814
Salvage; 902 KAR 45:030.....	550	Pre-Construction	
Sanitation; retail food markets; 902 KAR 45:045.....	542	Pre-qualifications; 603 KAR 2:015.....	809
Shellfish; 902 KAR 45:020.....	534	Right-of-Way	
Vending machines; food and beverages; 902 KAR 45:100.....	552	Relocation assistance; 603 KAR 4:015.....	815
Hospitals and Institutions		Traffic	
Patients' fees; 902 KAR 5:010.....	369	Detours; 603 KAR 5:080.....	817
Maternal and Child Care		Dimensions, trucks; 603 KAR 5:070.....	817
Eyes, care of; 902 KAR 4:020.....	640	Houses, buildings; moving permits; 603 KAR 5:100.....	831
Midwifery; 902 KAR 4:010.....	640	Limited access highways	
PKU tests; 902 KAR 4:030.....	640	Types; 603 KAR 5:010.....	37
Milk and Milk Products		Pedestrian; 603 KAR 5:020.....	37
Dating requirements; 902 KAR 50:080.....	293	Fully controlled access highways; 603 KAR 5:025.....	152
Definitions; milk; 902 KAR 50:010.....	279	Mobile homes; moving permits; 603 KAR 5:110.....	831
Farm manufacturing requirements; 902 KAR 50:030.....	284	Overload, over-dimension permits; 603 KAR 5:075.....	817
Frozen desserts; 902 KAR 50:060.....	293	Rest areas, use of; 603 KAR 5:040.....	152
Grade A requirements; 902 KAR 50:020.....	280	Right turn on red signal, prohibitions; 603 KAR 5:030.....	66
Hauler requirements; 902 KAR 50:040.....	287	Spacing on bridges; 603 KAR 5:090.....	817
Identity standards; 902 KAR 50:070.....	293	Toll ferries, bridges on interstates; 603 KAR 5:060.....	815
Manufacturing plant requirements; 902 KAR 50:050.....	238	Truckway classifications; amended; 603 KAR 5:095.....	818, 973
Park Standards		Control devices, uniform; 603 KAR 5:050.....	315
Mobile homes; 902 KAR 15:010.....	369	Weights, trucks; 603 KAR 5:065.....	816
Recreational vehicles; 902 KAR 15:020.....	371	Truckway Classification	
Public Accommodations		1-24; 603 KAR 6:021.....	68
Hotel and motel code; 902 KAR 7:010.....	641	US 31-W; 603 KAR 6:020.....	67
Radiation Operators' certification		US 119; 603 KAR 6:012.....	66
Chiropractor supervision; 902 KAR 105:050.....	1160	AY 1; 603 KAR 6:018.....	67
Definitions; 902 KAR 105:010.....	1158	KY 7; 603 KAR 6:019.....	67
General requirements; 902 KAR 105:020.....	1158	KY 15; 603 KAR 6:010.....	66
Medical, osteopathic supervision; 902 KAR 105:040.....	1160	KY 36; 603 KAR 6:011; amended;.....	66, 214
Podiatrist supervision; 902 KAR 105:060.....	1161	KY 59; 603 KAR 6:028.....	248
Teaching institution's curricula; 902 KAR 105:030.....	1159	KY 70; 603 KAR 6:024.....	247
Violations; enforcement; 902 KAR 105:070.....	1161	KY 85; 603 KAR 6:025.....	247
Radiology		KY 111; 603 KAR 6:029.....	248
Cabinet system; 902 KAR 100:145.....	417	KY 136; 603 KAR 6:013.....	66
Classification, groups; 902 KAR 100:075.....	404	KY 153; 603 KAR 6:022.....	153
Concentrations, air and water; 902 KAR 100:025.....	388	KY 181; 603 KAR 6:026.....	247
Concentrations, exempt; 902 KAR 100:085.....	405	KY 292; 603 KAR 6:030.....	248
Definitions; 902 KAR 100:010.....	381	KY 797; 603 KAR 6:014.....	67
Dental; 902 KAR 100:130.....	415	KY 305; 603 KAR 6:023.....	153
Exemptions; 902 KAR 100:045.....	396	KY 909; 603 KAR 6:015.....	67
General applicability; 902 KAR 100:005.....	380	KY 1232; 603 KAR 6:016.....	67
General requirements; 902 KAR 100:015.....	384	KY 1526; 603 KAR 6:017.....	67
Industrial radiography; 902 KAR 100:100.....	408	KY 1543; 603 KAR 6:027.....	632
Leak testing; 902 KAR 100:060.....	402		
License limits; 902 KAR 100:090.....	406	HOSPITALS AND INSTITUTIONS (STATE)	
Licenses, general; 902 KAR 100:050.....	397	Patients' fees; 902 KAR 5:010.....	369
Licenses, specific; 902 KAR 100:055.....	400		
Licenses, specific; general provisions; 902 KAR 100:040.....	394		

Page	Page
Bus drivers' qualifications; 702 KAR 5:080.....1052	Kindergartens and Nursery Schools
Buses; specifications, purchases; 702 KAR	Private programs; 704 KAR 5:010.....82
5:060.....1052	Public school programs; amended;
Cost calculation; 702 KAR 5:020.....1049	704 KAR 5:050.....83, 699
Division's responsibilities; 702 KAR 5:010.....1049	Textbooks, Libraries and Materials
Handicapped, reimbursement for; 702 KAR	State plan under PL 89-10; 704 KAR 2:010.....46
5:100.....1053	Textbook program; 704 KAR 2:020.....1057
Insurance, buses; 702 KAR 5:070.....1052	Pupil Personnel Services
Pupils' responsibilities; 702 KAR 5:090.....1053	Food Service Programs
Superintendent's responsibilities; 702 KAR	Accrual cost accounting; amended; 703 KAR 1:080...44, 697
5:030.....1051	District Director; amended; 703 KAR 1:020.....42, 695
Supervision, discipline; 702 KAR 5:050.....1051	Funds and reports; amended; 703 KAR 1:070.....43, 696
Vocational pupils; 702 KAR 5:110.....1054	Local responsibilities; 703 KAR 1:010.....42
School District Finance	Lunch and breakfast requirements; 703 KAR 1:050.....43
Accounting, internal; 702 KAR 3:130.....71	Meals, time minimum; amended; 703 KAR 1:060.....43, 696
Accounting system, uniform; 702 KAR 3:120.....71	Personnel, policies and procedures; amended;
Audits; exceptions, corrections; 702 KAR 3:150.....72	703 KAR 1:040.....43, 695
Bidding guidelines; amended; 702 KAR 3:140.....72, 695	Principals' responsibilities; amended; 703 KAR
Bond issue approval; 702 KAR 3:020.....69	1:030.....42, 696
Budget not to be exceeded; amended;	School Terms, Attendance and Operation
702 KAR 3:050.....69, 695	Attendance; 703 KAR 2:050.....632
Check issuing policy; 702 KAR 3:040.....69	Calendar; amended; 703 KAR 2:020.....44, 697
Classroom units, exceptions; 702 KAR 3:160.....72	Census; amended; 703 KAR 2:030.....45, 697
Data form; 702 KAR 3:100.....71	Experimental schools; amended; 703 KAR 2:040.....45, 696
Depository bond; 702 KAR 3:090.....71	Terms and months; 703 KAR 2:010.....44
Document filing; 702 KAR 3:110.....71	Guidance Services
Foundation program capital outlay funds,	Counselor, criteria, duties; 703 KAR 3:020.....45
guidelines for use; 702 KAR 3:010.....68	Counselor units; 703 KAR 3:030.....45
Funds, withholding; amended; 702 KAR 3:045.....69, 695	Federal funds; 703 KAR 3:040.....46
Mortgaged buildings, insurance on;	Personnel functions; 703 KAR 3:010.....45
702 KAR 3:030.....69	Teacher Certification
Substitute teachers' salary scheduling;	Administrators and supervisors; 704 KAR 20:100.....493
702 KAR 3:075.....70	Art; elementary on secondary certificate;
Teachers' salary payment plan; 702 KAR 3:060.....70	704 KAR 20:105.....497
Teachers' salary scheduling; 702 KAR 3:070.....70	Business administrators; 704 KAR 20:110.....498
Treasurers' bond; 702 KAR 3:080.....70	Certification application; 704 KAR 20:045.....495
TV equipment purchases; 702 KAR 3:170.....1045	Correspondence credit; 704 KAR 20:040.....494
Surplus Property	Date of issuance; expiration; 704 KAR 20:055.....495
Accounting procedures; 702 KAR 2:080.....40	Driver education; 704 KAR 20:115.....498
Acquisition; 702 KAR 2:070.....40	Elementary, provisional; 704 KAR 20:090.....497
Certification of eligibles; 702 KAR 2:030.....39	Elementary on secondary certification; 704 KAR 20:095.....497
Definitions of eligible entities; 702 KAR 2:010.....38	Elementary, standard; 704 KAR 20:085.....496
Director of Division, duties; 702 KAR 2:090.....41	Emergency; 704 KAR 20:120.....498
Federal excess, donee requirements; 702 KAR 2:050.....40	Experimental program teachers; 704 KAR 20:125.....499
Federal surplus, donee requirements; 702 KAR 2:040.....39	Guidance counselors; 704 KAR 20:130.....499
Funds; 702 KAR 2:080.....40	High school certificate; provisional; 704 KAR 20:070.....496
Non-federal excess, requirements; 702 KAR 2:060.....40	High school certificate, standard; 704 KAR 20:065.....495
Organizing and operating, authority for;	Kentucky plan; approval; 704 KAR 20:005.....492
702 KAR 2:020.....38	Kindergarten teachers; 704 KAR 20:135.....499
Property not covered by PL 152; amended;	Librarians; 704 KAR 20:140.....500
702 KAR 2:100.....42, 119	Librarians; media; 704 KAR 20:145.....500
Services charges; 702 KAR 2:080.....40	Middle school/junior high; provisional; 704 KAR 20:080.....496
Instruction	Music; elementary on secondary certification;
Elementary and Secondary Education Act	704 KAR 20:160.....501
Courses not in program offering; 704 KAR	New positions; 704 KAR 20:165.....501
10:050.....1057	Non tax supported schools; 704 KAR 20:170.....501
Kentucky plan; 704 KAR 10:010.....491	Out of state preparation; 704 KAR 20:035.....494
Exceptional and Handicapped Programs	P.E.; elementary on secondary certification;
Deaf-blind, programs for; 704 KAR 1:040.....1054	704 KAR 20:175.....501
Exceptional, programs for; 704 KAR 1:050.....1055	Proficiency evaluation; 704 KAR 20:030.....494
Hearing impairment; 704 KAR 1:010.....46	Psychometrists; 704 KAR 20:185.....502
Multiple handicapped; 704 KAR 1:030.....73	Rank I; 704 KAR 20:015.....493
Private programs; 704 KAR 1:020.....72	Rank II equivalency; 704 KAR 20:020.....493
Health and Physical Education Programs	Ranking procedures; general; 704 KAR 20:010.....493
Physical education; 704 KAR 4:010.....81	Ranking, vocational instructors; 704 KAR 20:025.....493
School health; 704 KAR 4:020.....81	Rehabilitation counselors; 704 KAR 20:190.....502
Instructional Services	Renewals; 704 KAR 20:060.....495
Academic subjects consultant; 704 KAR 3:260.....81	Secondary, on elementary certification; 704 KAR 20:075.....496
Administrative and special; 704 KAR 3:010.....73	Special education supervisors; 704 KAR 20:200.....503
Art education teacher; 704 KAR 3:130.....77	Special education teachers; 704 KAR 20:205.....503
Art program consultant; 704 KAR 3:140.....77	Specialists, media; 704 KAR 20:150.....500
ASIS program coordinator; amended;	Specialists, reading; 704 KAR 20:180.....502
704 KAR 3:250.....80, 698	Substitutes; 704 KAR 20:210.....504
Clock hours, reduction of; 704 KAR 3:020.....73	Supervisors, media; 704 KAR 20:155.....501
Driver education and traffic safety teacher;	Time limit for applying; 704 KAR 20:050.....494
704 KAR 3:190.....79	Vocational education administrators; 704 KAR 20:215.....504
Exceptional children, teacher-consultants;	Vocational education teachers; 704 KAR 20:220.....504
704 KAR 3:270.....81	Rehabilitation Services
Finance officer; 704 KAR 3:260.....79	State Plan for; 706 KAR 1:010.....833
Health and physical education consultant;	Teacher Education
704 KAR 3:100.....76	Accreditation of institutions; 704 KAR 15:010.....491
Industrial arts teacher; 704 KAR 3:150.....77	Curricula; evaluation and approval; 704 KAR 15:020.....491
Instructional service units, special;	Experimental preparation program; 704 KAR 15:030.....494
704 KAR 3:030.....74	In service training; 704 KAR 15:050.....492
Librarian, school media; 704 KAR 3:170.....78	Internship modifications; 704 KAR 15:040.....492
Music education teacher; 704 KAR 3:110.....76	Paraprofessionals; 704 KAR 15:090.....492
Music program consultant; 704 KAR 3:120.....77	Teachers' Retirement System
Physical education teacher; amended;	Absence, leave of; 102 KAR 1:110.....461
704 KAR 3:090.....76, 698	Additional contributions; 102 KAR 1:130.....137
Principal; assistant; 704 KAR 3:050.....74	Administrative staff; 102 KAR 1:037.....460
Psychologist; Psychometrist; amended;	Annuity payments; 102 KAR 1:155.....463
704 KAR 3:180.....78, 974	Annuity tables; 102 KAR 1:160.....463
Pupil personnel director; amended;	Applications for retirement; 102 KAR 1:070.....136
704 KAR 3:230.....80, 975	Chairman, vice chairman, election; 102 KAR 2:010.....464
Reading program consultant; 704 KAR 3:240.....80	Contributions, additional; 102 KAR 1:130.....137
School lunch director; amended; 704 KAR 3:210.....79, 975	Contributions, omitted; 102 KAR 1:125.....137
Social worker; 704 KAR 3:080.....75	Contributions, voluntary; 102 KAR 1:120.....136
Superintendent; assistant; 704 KAR 3:040.....74	Disability; 102 KAR 1:140.....462
Supervisor of instruction; 704 KAR 3:220.....80	Entrants, new; 102 KAR 1:039.....461
Teacher, visiting; 704 KAR 3:060.....75	Fractional service year; 102 KAR 1:038.....461
Vocational education, local director;	Insurance; 102 KAR 1:100.....136
704 KAR 3:160.....78	Interest credited; 102 KAR 1:135.....462

Interest rate; out-of-state service; 102 KAR 1:050.....	135
Investment policies; 102 KAR 1:175.....	464
KIDFA investments; 102 KAR 1:180.....	464
Military service credit; 102 KAR 1:055.....	135
Omitted contributions; 102 KAR 1:125.....	137
Optional benefits; 102 KAR 1:150.....	463
Out-of-state service interest rate; 102 KAR 1:050.....	135
Part time service; 102 KAR 1:036.....	460
Refunds; 102 KAR 1:060.....	136
Retired teachers, substitute teaching by; 102 KAR 1:035.....	135
Retirement, application for; 102 KAR 1:070.....	136
Rules and regulations; 102 KAR 1:010.....	460
Substitute teachers; 102 KAR 1:030.....	134
Substitution by retired teachers; 102 KAR 1:035.....	135
Supplemental payments; 102 KAR 1:020.....	59
Surviving children's benefits; 102 KAR 1:165.....	463
Tax sheltered contributions; 102 KAR 1:115.....	462
Transfer to other systems; 102 KAR 1:045.....	135
Voluntary contributions; 102 KAR 1:120.....	136
Vocational Education	
Administration	
State plan; 705 KAR 1:010.....	47
Adult Education	
Definitions; 705 KAR 7:010.....	85
Eighth grade equivalency certificate; 705 KAR 7:040.....	85
High school equivalency certificate; 705 KAR 7:030.....	509
Testing program; 705 KAR 7:020.....	509
Facilities and Equipment	
Area center; public high school; 705 KAR 3:030.....	507
College or university, department of; 705 KAR 3:050.....	507
Construction; 705 KAR 3:080.....	508
Definitions; 705 KAR 3:010.....	505
Equipment	
Disposal; 705 KAR 3:130.....	1060
Insurance; 705 KAR 3:120.....	1060
Inventory; 705 KAR 3:110.....	1060
Purchasing; 705 KAR 3:100.....	1060
Specifications; 705 KAR 3:090.....	1059
Maintenance; 705 KAR 3:075.....	1059
Public high school, specialized; 705 KAR 3:020.....	506
Remote high school; 705 KAR 3:060.....	507
Residential facilities; 705 KAR 3:070.....	1059
Vocational/technical; public or state; 705 KAR 3:040.....	507
Fiscal Management	
Audits; 705 KAR 2:090.....	505
Budgets; 705 KAR 2:020.....	1058
Foundation program units; 705 KAR 2:030.....	1058
Instructional Programs	
Adult program; 705 KAR 4:190.....	1068
Agribusiness; 705 KAR 4:070.....	1063
Business, office education; 705 KAR 4:090.....	1064
Cooperative; 705 KAR 4:040.....	1061
Extended employment	
Local districts; 705 KAR 4:020.....	1061
State schools; 705 KAR 4:030.....	1061
FPA leadership training center; 705 KAR 4:080.....	1063
General standards; 705 KAR 4:010.....	1060
Health, personal service; 705 KAR 4:100.....	1064
Home Economics	
Consumer and homemaking; 705 KAR 4:110.....	1065
Gainful; 705 KAR 4:120.....	1065
Industrial; 705 KAR 4:130.....	1066
Marketing, distributive; 705 KAR 4:140.....	1066
Postsecondary program; 705 KAR 4:180.....	1068
Practical arts; 705 KAR 4:150.....	1067
Public service occupations; 705 KAR 4:160.....	1067
Secondary standards; 705 KAR 4:060.....	1062
Special vocational education; 705 KAR 4:170.....	1067
Work experience; 705 KAR 4:050.....	1062
Licensing Proprietary Schools	
Advertising; 705 KAR 10:070.....	86
Agent's permit; 705 KAR 10:020.....	510
Appeals procedure; 705 KAR 10:120.....	87
Cancellation and refund; 705 KAR 10:060.....	86
Catalog; 705 KAR 10:050.....	86
Certification of approval; 705 KAR 10:010.....	85
Enrollment contract; records, reports; 705 KAR 10:090.....	87
Equipment and facilities; 705 KAR 10:080.....	87
Financial stability; 705 KAR 10:100.....	87
Flight school bonding; 705 KAR 10:030.....	1069
Personnel qualifications; 705 KAR 10:040.....	85
Management of State-Operated Schools	
Administration; 705 KAR 5:020.....	508
Enrollment quotas; 705 KAR 5:010.....	84
Live work projects; 705 KAR 5:060.....	84
Regional program; 705 KAR 5:070.....	1063
Steering committee; 705 KAR 5:040.....	509
Suspension, expulsion; 705 KAR 5:080.....	1068
Transportation reimbursement; 705 KAR 5:030.....	84
Student Financial Aid	
Administration; 705 KAR 8:010.....	510
Supporting Services	
Teacher education; 705 KAR 6:010.....	1069
Veterans' Approval Agency	
Apprenticeship and OJT courses; 705 KAR 11:020.....	88
Denial and revocation; 705 KAR 11:040.....	88
Inspection and supervision; 705 KAR 11:050.....	88
Institutional courses; 705 KAR 11:010.....	87
Revisions and amendments; 705 KAR 11:030.....	88

EDUCATION AND ARTS

Education

Administration and Finance

Buildings and grounds; 702 KAR 4:005 to 702 KAR 4:090.....	1045-1049
General administration; 702 KAR 1:010; 702 KAR 1:020; 702 KAR 1:030; amended;.....	37, 68, 451
Pupil transportation; 702 KAR 5:010 to 702 KAR 5:110.....	1049-1054
School district finance; 702 KAR 3:010 through 702 KAR 3:170.....	68-72, 1045
Surplus property; 702 KAR 2:010 to 702 KAR 2:100; amended.....	38, 39, 40, 41, 42, 119

Instruction

Elementary and secondary education act; 704 KAR 10:010; 704 KAR 10:050.....	491, 1057
Exceptional and Handicapped programs; 704 KAR 1:010 through 704 KAR 1:050.....	46-73, 1054-1055
Health and physical education programs; 704 KAR 4:010; 704 KAR 4:020.....	81
Instructional services; 704 KAR 3:010 through 704 KAR 3:270.....	73-81
Kindergarten and nursery schools; 704 KAR 5:010; 704 KAR 5:050.....	82-83
Teacher certification; 704 KAR 20:005 to 704 KAR 20:220.....	497-504
Teacher education; 704 KAR 15:010 to 704 KAR 15:080.....	491-492
Textbooks, libraries and instructional materials; 704 KAR 2:010; 704 KAR 2:020.....	46, 1057

Pupil Personnel Services

Food service programs; 703 KAR 1:010 to 703 KAR 1:080.....	42, 43, 44
Guidance services; 703 KAR 3:010 to 703 KAR 3:040.....	45, 46
School terms, attendance and operation; 703 KAR 2:010 to 703 KAR 2:050.....	44, 45, 832

Rehabilitation Services

State Plan for; 706 KAR 1:010.....	833
------------------------------------	-----

Vocational Education

Administration; 705 KAR 1:010.....	47
Adult education; 705 KAR 7:010; 705 KAR 7:040.....	47, 85
Facilities and equipment; 705 KAR 3:010 to 705 KAR 3:080.....	508
Fiscal management; 705 KAR 2:090.....	505
Instructional program; 705 KAR 4:010 to 705 KAR 4:190.....	1060-1068
Licensing proprietary schools; 705 KAR 10:010 through 705 KAR 10:120.....	85-87, 1069
Management of state-operated schools; 705 KAR 5:010; 705 KAR 5:030; 705 KAR 5:080.....	84, 1068
Student financial aid; 705 KAR 8:010.....	510
Supporting services; 705 KAR 6:010.....	1059
Veterans' approval agency; 705 KAR 11:010 through 705 KAR 11:050.....	87, 88

Education Assistance Authority

Student incentive grants; 11 KAR 1:010.....	30
---	----

EDUCATION ASSISTANCE AUTHORITY

Student incentive grants; 11 KAR 1:010; 11 KAR 1:010E.....	30, 22
--	--------

EGG MARKETING

(See Agriculture)

ELECTIONS

Absentee ballot	
Eligibility when under indictment; 31 KAR 1:010.....	8
Registry of Election Finance	
Forms for reporting; 801 KAR 1:010 to 801 KAR 1:040 and 801 KAR 1:010E to 801 KAR 1:040E; 801 KAR 1:005.....	3, 4, 5, 6, 7, 16, 248

ELEVATORS

Standards; elevators, dumbwaiters, escalators and moving walks; 803 KAR 4:010.....	50
--	----

EMBALMERS AND FUNERAL DIRECTORS

Application for examination; 201 KAR 15:030.....	1013
Apprenticeship; 201 KAR 15:050.....	1014
Definitions; 201 KAR 15:010.....	1013
Examination; 201 KAR 15:040.....	1013
Expired license, reinstatement; 201 KAR 15:070.....	1014
License renewal; 201 KAR 15:060.....	1014
Rules and regulations, amendment; 201 KAR 15:020.....	1013
Violations; 201 KAR 15:080.....	1014

EMPLOYEES, STATE

Personnel Rules (Merit System)	
Annual leave; 101 KAR 1:140.....	133
Appeals; 101 KAR 1:130.....	131
Applications; 101 KAR 1:060.....	126
Appointments, types of; 101 KAR 1:090.....	129
Attendance; 101 KAR 1:140.....	133
Board procedures; 101 KAR 1:030.....	123
Certification and selection of eligibles; 101 KAR 1:080.....	128
Classification plan; 101 KAR 1:040.....	124
Compensation plan; 101 KAR 1:050; amended;.....	124, 208, 693
Compensatory leave; 101 KAR 1:140.....	133
Court leave; 101 KAR 1:140; amended;.....	133, 209
Definitions; 101 KAR 1:010.....	123
Demotion; 101 KAR 1:110.....	130
Disciplinary actions; 101 KAR 1:120.....	137
Examinations; 101 KAR 1:060.....	126

	Page
General provisions; 101 KAR 1:020.....	123
Hours of work; 101 KAR 1:140.....	133
Military leave; 101 KAR 1:140.....	133
Probationary period; 101 KAR 1:100.....	130
Promotion; 101 KAR 1:110.....	127
Registers; 101 KAR 1:070.....	127
Retirement; 101 KAR 1:140.....	133
Separations; 101 KAR 1:120.....	131
Service; 101 KAR 1:140.....	133
Sick leave; 101 KAR 1:140.....	133
Special duty, detail to; 101 KAR 1:110.....	130
Transfer; 101 KAR 1:110.....	130
Voting leave; 101 KAR 1:140.....	133
Retirement Systems	
KERS	
Contributions; 105 KAR 1:010.....	716
Interest rates; 105 KAR 1:010.....	716
Reciprocal; CERS, SPRS, TRS; 105 KAR 1:020.....	717
Travel Expense and Reimbursement	
Official work station; 200 KAR 2:030E;	
200 KAR 2:030.....	58, 60
Subsistence expenses; 200 KAR 2:060E;	
200 KAR 2:060.....	58, 60
Unclassified service rules; 101 KAR 1:200.....	326
ENGINEERS AND LAND SURVEYORS	
Adjudication; 201 KAR 18:130.....	1020
Applicants, classes of; 201 KAR 18:010.....	1018
Application forms; 201 KAR 18:020.....	1018
Certificate, reissuance; 201 KAR 18:120.....	1020
Certificates, cards; 201 KAR 18:080.....	1020
Engineering, branches of; 201 KAR 18:050.....	1019
Examinations; 201 KAR 18:070.....	1019
Fees; 201 KAR 18:040.....	1019
In-training certificates; 201 KAR 18:030.....	1019
License renewal; 201 KAR 18:110.....	1020
Rejections; 201 KAR 18:060.....	1019
Seals; 201 KAR 18:100.....	1020
Serial numbers; 201 KAR 18:090.....	1020
ENVIRONMENTAL QUALITY	
Air Pollution	
Ambient air quality; 401 KAR 3:020.....	604
Emergency episodes; 401 KAR 3:030.....	605
Existing source standards; 401 KAR 3:060.....	619
General provisions; 401 KAR 3:010.....	601
Hazards; emission standards; 401 KAR 3:040.....	607
Indirect source; 401 KAR 3:070.....	625
New source; 401 KAR 3:050.....	610
Plumbing Code	
Buildings, public; 401 KAR 1:150.....	489
Connections, special; 401 KAR 1:140.....	488
Definitions; 401 KAR 1:010.....	476
Fixtures; 401 KAR 1:040.....	480
House sewers; 401 KAR 1:100.....	485
Inspection, tests; 401 KAR 1:110.....	487
Installation permits; 401 KAR 1:020.....	10
Joints, connections; 401 KAR 1:070.....	483
License application; examination; 401 KAR 1:015.....	756
Materials, quality and weight; 401 KAR 1:030.....	479
Mobile home parks; waste systems, connections;	
401 KAR 1:130.....	488
Public buildings; 401 KAR 1:150.....	489
Septic systems; private, commercial; 401 KAR 1:120.....	488
Soil, waste, vent systems; 401 KAR 1:060.....	481
Storm water piping; 401 KAR 1:100.....	485
Traps, cleanouts; 401 KAR 1:080.....	484
Water pipe size; 401 KAR 1:050.....	481
Water supply, distribution; 401 KAR 1:090.....	485
Sanitary Engineering	
Fluoridation, public water supplies; 401 KAR 6:020.....	766
Public water supplies; 401 KAR 6:010.....	763
Swimming pools, public; 401 KAR 6:030.....	766
Treatment plants; distribution; operators;	
401 KAR 6:040.....	771
Solid Waste	
Landfills; construction, operation; 401 KAR 2:010.....	757
Water Quality	
Biochemically degradable wastes; 401 KAR 5:045.....	763
Classification; 401 KAR 5:035.....	762
Standards; 401 KAR 5:025.....	761
Spills, bypasses; reporting of; 401 KAR 5:015.....	761
Sewage, waste; permits to discharge; 401 KAR 5:005.....	760
Water Resources	
Dams, design criteria; 401 KAR 4:030.....	759
Sediment structures; 401 KAR 4:040.....	759
Withdrawal permits; amended; 401 KAR 4:010.....	11, 448
ETHICS, BOARD OF	
Practice and procedure; 2 KAR 1:010.....	992
EXCISE TAX	
Alcoholic Beverages	
Consumer rates; 103 KAR 40:090.....	332
Consumer tax; customs; 103 KAR 40:100.....	709
Malt beverages; 103 KAR 40:030.....	332
Records, maintaining; 103 KAR 40:010.....	709
Transportation; 103 KAR 40:050.....	709
Cigarettes	
Diversified operators; 103 KAR 41:060.....	710
Evidence of payment; 103 KAR 41:090.....	711
Indicia, elimination of; 103 KAR 41:130.....	333
Records, retention of; 103 KAR 41:120.....	333

	Page
Sample; 103 KAR 41:110.....	333
Segregation; 103 KAR 41:100.....	333
Subjobbers; 103 KAR 41:040.....	710
Tax-free; 103 KAR 41:020.....	710
Transporters; 103 KAR 41:050.....	710
Unclassified acquirers; 103 KAR 41:040.....	710
Vending machine operators; 103 KAR 41:040.....	710
Wholesale; resident, nonresident; 103 KAR 41:030.....	333
Motor Fuels	
Assignment; 103 KAR 43:080.....	334
Cancellation; 103 KAR 43:140.....	713
Determination; 103 KAR 43:150.....	713
Display; 103 KAR 43:200.....	334
Farm tractors defined; 103 KAR 43:100.....	712
Floor loss; 103 KAR 43:010.....	711
Gasoline defined; 103 KAR 43:060.....	712
Identification; 103 KAR 43:130.....	713
Location approval; 103 KAR 43:170.....	714
Measurement; 103 KAR 43:050.....	712
Peddlers; 103 KAR 43:160.....	714
Prohibited uses; 103 KAR 43:120.....	713
Received gasoline; 103 KAR 43:030.....	711
Refund; 103 KAR 43:090.....	334
Refund gas use; 103 KAR 43:110.....	712
Sales to U.S. Government; 103 KAR 43:070.....	712
Storage; 103 KAR 43:210.....	334
Tax refunds; 103 KAR 43:230.....	714
Transporters report; 103 KAR 43:020.....	711
Motor Vehicle Usage	
Payment, monthly; 103 KAR 44:020.....	715
Usage tax; 103 KAR 44:010.....	715
EXPLOSIVES AND BLASTING	
Blasting safety; 805 KAR 4:060.....	1074
Blasting standards; 805 KAR 4:020.....	1072
Instrumentation; 805 KAR 4:040.....	1073
Licensing blasters; 805 KAR 4:010.....	1072
Records; 805 KAR 4:050.....	1073
Seismograph measurements; 805 KAR 4:030.....	1073
PAIR BOARD, STATE	
Admission; 303 KAR 1:050.....	755
Alcoholic beverages; 303 KAR 1:030.....	755
Animals; 303 KAR 1:070.....	755
Demonstrations; 303 KAR 1:080; 303 KAR 1:090.....	1030
Firearms, deadly weapons; 303 KAR 1:040.....	755
Harassment, annoyance; 303 KAR 1:025.....	1030
Material dissemination; 303 KAR 1:090.....	1030
Property, destruction of; 303 KAR 1:060.....	755
Traffic flow; 303 KAR 1:015.....	754
Vehicle operation; 303 KAR 1:003.....	1029
Vehicle parking; 303 KAR 1:010.....	754
Vehicle speed; 303 KAR 1:005.....	754
PAIRS AND SHOWS	
(See: Agriculture, State Fair Board)	
FEED, COMMERCIAL	
Additives; 12 KAR 2:041.....	1000
Definitions; 12 KAR 2:006.....	998
Directions; precautions; 12 KAR 2:031.....	1000
Guarantees; 12 KAR 2:021.....	999
Ingredients; 12 KAR 2:026.....	999
Label format; 12 KAR 2:011.....	996
Manufacturers, list of; 12 KAR 2:056.....	1001
Manufacturing conditions; 12 KAR 2:051.....	1001
Name; brand, product; 12 KAR 2:016.....	999
Nitrogen, non-protein; 12 KAR 2:036.....	1000
Registration; 12 KAR 2:061.....	1001
Substances; poisonous, deleterious; 12 KAR 2:046.....	1000
FINANCE AND ADMINISTRATION	
Local Government, Office of	
bonds, obligations of local governments; marketing	
assistance; 200 KAR 10:030.....	593
District boards; directors, terms; 200 KAR 10:010.....	592
Occupations and Professions	
Accountancy; 201 KAR 1:005 to 201 KAR 1:095.....	1009-1013
Auctioneers; 201 KAR 3:010 to 201 KAR 3:060.....	32
Barbering; 201 KAR 14:010 to 201 KAR 14:165.....	723-732
Barbers Schools; 201 KAR 4:020 to 201 KAR 4:060.....	240
Dentistry; 201 KAR 8:010 to 201 KAR 8:385.....	334-344
Embalmers and Funeral Directors; 201 KAR 15:010	
to 201 KAR 15:080.....	1013-1014
Engineers and Land Surveyors; 201 KAR 18:010	
to 201 KAR 18:130.....	1018-1020
Hairdressers and Cosmetologists; 201 KAR 12:010 to	
201 KAR 12:080.....	599, 720-721
Hearing Aid Dealers; 201 KAR 7:052; 201 KAR 7:122;	
201 KAR 7:125.....	241
Landscape Architects; 201 KAR 10:010 to	
201 KAR 10:070.....	592-594
Medical licensure; 201 KAR 9:010 to 201 KAR 9:090.....	470-474
Nursing Home Administrators; 201 KAR 6:010.....	61
Ophthalmic Dispensers; 201 KAR 13:010 to	
201 KAR 13:070.....	721-723
Optometric Examiners; 201 KAR 5:010 to 201 KAR 5:050.....	61
Pharmacy; 201 KAR 2:010 to 201 KAR 2:100.....	9, 10, 147, 718
Real Estate Commission; 201 KAR 11:005 to	
201 KAR 11:160.....	595-599
Speech Pathology and Audiology; 201 KAR 17:010	
to 201 KAR 17:060.....	1016-1018

	Page		Page
Veterinary Examiners; 201 KAR 16:010 to 201 KAR 16:030.....	1014-1016	Wildlife	
Public Records		Ballard Refuge restrictions; 301 KAR 4:020.....	65
Inspecting and copying; 200 KAR 1:010; 200 KAR 1:010E.....	31, 24	Birds of prey; 301 KAR 2:070.....	475
State Buildings and Grounds		Districts; 301 KAR 4:010.....	35
Traffic control; 200 KAR 3:010; 200 KAR 3:010E.....	584, 591	Endangered species; 301 KAR 3:060.....	476
Vehicle parking; 200 KAR 3:010; 200 KAR 3:010E.....	584, 591	Turkey, wild; 301 KAR 3:050.....	476
Travel Expense and Reimbursement		Waterfowl seasons; limits; 301 KAR 2:022E.....	121
Official work station; 200 KAR 2:030E; 200 KAR 2:030.....	58, 60		
Subsistence expenses; 200 KAR 2:060E; 200 KAR 2:060.....	58, 60	FOOD AND COSMETICS	
		Bakery products; 902 KAR 45:030.....	537
FIRE MARSHAL		Carbonated beverages; 902 KAR 45:040.....	539
Boiler standards; 806 KAR 50:150.....	170	Cosmetic packaging and labeling; 902 KAR 45:060.....	547
Boilers		Definitions; 902 KAR 45:010.....	533
Administrative procedures; 806 KAR 50:155.....	360	Food packaging and labeling; 902 KAR 45:050.....	543
Definitions; 806 KAR 50:151.....	359	Food service code; 902 KAR 45:005.....	645
General requirements; 806 KAR 50:160.....	362	Salvage; 902 KAR 45:080.....	550
Heating boilers; 806 KAR 50:170.....	366	Sanitation; retail food markets; 902 KAR 45:045.....	542
Nuclear vessels; 806 KAR 50:175.....	368	Shellfish; 902 KAR 45:020.....	534
Power boilers; 806 KAR 50:160.....	362	Vending machines; food and beverages; 902 KAR 45:100.....	552
Construction Requirements			
General; 806 KAR 50:010; amended;.....	90, 215	GENERAL ASSEMBLY	
Physically handicapped accommodations; 806 KAR 50:020; amended;.....	94, 222	Board of Ethics	
Fire department aid; 806 KAR 50:100.....	97	Practice and procedure; 2 KAR 1:010.....	992
Flammable liquids; self-service stations; 806 KAR 50:080.....	96		
LP Gas		GRAIN STORAGE	
License denial, revocation, suspension; 806 KAR 50:050.....	95	(See: Agriculture)	
License, financial responsibility; 806 KAR 50:060.....	96		
Standby usage; 806 KAR 50:070.....	96	HAIRDRESSERS AND COSMETOLOGISTS	
Mobile homes and recreational vehicles; amended; 806 KAR 50:200.....	97, 456	Administrator's duties; 201 KAR 12:010.....	720
		Apprentice ratio to operators; 201 KAR 12:040.....	720
FISH AND WILDLIFE RESOURCES		Examination; 201 KAR 12:020.....	720
Fish		Identification; shop, school; 201 KAR 12:080.....	721
Angling; limits, seasons; 301 KAR 1:055.....	149	Inspections; 201 KAR 12:060.....	721
Aquatic organisms and fish; 301 KAR 1:080.....	63	License required; 201 KAR 12:030.....	720
Backwaters, rough fish from; 301 KAR 1:070.....	63	Reciprocity; fees; 201 KAR 12:050.....	599
Bait for personal use; 301 KAR 1:130.....	242		
Boat docks and concession stands; 301 KAR 1:010.....	33	HARNESS RACING	
Boating; 301 KAR 1:012.....	148	Associations' license; 811 KAR 1:115.....	1115
Boats, size; 301 KAR 1:015.....	148	Cards, badges; 811 KAR 1:135.....	1122
Bow fishing; 301 KAR 1:090.....	63	Claiming races; 811 KAR 1:035.....	1104
Commercial fishing gear; amended; 301 KAR 1:145.....	474, 971	Conduct of racing; 811 KAR 1:085.....	1113
Commercial fishing; requirements; 301 KAR 1:155.....	243	Definitions; 811 KAR 1:005.....	1097
Commercial fishing, waters open to; amended; 301 KAR 1:150.....	242, 972	Driver's stand; 811 KAR 1:165.....	1123
Cumberland Gap Park restrictions; 301 KAR 1:035.....	149	Eligibility, classification; 811 KAR 1:030.....	1103
Endangered species; 301 KAR 3:060.....	476	Entries; 811 KAR 1:045.....	1106
Frog seasons; limits; 301 KAR 1:082.....	241	Fines, suspensions, expulsions; 811 KAR 1:095.....	1114
Gigging, snagging, tickling and noodling; 301 KAR 1:075.....	149	Horses; registration, identification; 811 KAR 1:020.....	1102
Hatching or raising in public waters prohibited; 301 KAR 1:110.....	64	Licensing; owners, drivers, etc.; 811 KAR 1:070.....	1110
Lakes, small, special regulation of; 301 KAR 1:050.....	62	Name; farm, stable; 811 KAR 1:025.....	1102
Land-Between-the-Lakes; 301 KAR 1:031.....	346	Officials, deputies, assistants; 811 KAR 1:150.....	1122
Licensure; live fish sales, handling; 301 KAR 1:120.....	150	Pari-mutuel rules; 811 KAR 1:125.....	1115
Live bait sales; 301 KAR 1:132.....	347	Personnel licenses; fees; 811 KAR 1:180.....	1124
Live fish; importing, possession; 301 KAR 1:122.....	346	Persons permitted on premises; 811 KAR 1:130.....	1121
Live fish sales, handling; 301 KAR 1:120.....	150	Placing; money; 811 KAR 1:030.....	1112
Motors, outboard, size; 301 KAR 1:015.....	148	Postponements; 811 KAR 1:060; 811 KAR 1:155.....	1109, 1123
Mussel shell harvesting; 301 KAR 1:085.....	241	Post time, entry number; 811 KAR 1:140.....	1112
Private camps; boat docks; 301 KAR 1:016.....	345	Protests; 811 KAR 1:100.....	1115
Prohibited species; 301 KAR 1:122.....	346	Race meet licenses; 811 KAR 1:120.....	1117
Propagation; fish, etc.; 301 KAR 1:115.....	241	Race officials; 811 KAR 1:015.....	1099
Scuba diving prohibited; 301 KAR 1:040.....	119	Races per program; 811 KAR 1:145.....	1122
Skiing, water; 301 KAR 1:012.....	148	Records, audits, reports; 811 KAR 1:185.....	1124
Skin and scuba diving prohibited; amended; 301 KAR 1:040.....	33, 119	Review, appeal; 811 KAR 1:105.....	1115
Snagging; 301 KAR 1:020.....	33	Rules; track, race; 811 KAR 1:075.....	1111
Sport and rough; 301 KAR 1:060.....	63	Split races; entries, starters; 811 KAR 1:050.....	1107
Swimming; 301 KAR 1:012.....	148	Stakes, futurities; 811 KAR 1:040.....	1105
Tennessee River closing hours; 301 KAR 1:030.....	33	Start; declaration, drawing; 811 KAR 1:055.....	1108
Transportation of; 301 KAR 1:125.....	346	Starting; 811 KAR 1:065.....	1109
Trotlines; 301 KAR 1:057.....	346	Stimulants, drugs; 811 KAR 1:090.....	1113
Trout stamp; 301 KAR 1:100.....	63	Tack inspection; 811 KAR 1:175.....	1124
Game		Telephones; 811 KAR 1:170.....	1124
Birds of prey; 301 KAR 2:070.....	475	Timing; records; 811 KAR 1:110.....	1116
Bobwhite quail sales for food; 301 KAR 2:060.....	347	Track deductions; 811 KAR 1:195.....	1125
Calling devices; 301 KAR 2:025.....	347	Tracks; 811 KAR 1:010.....	1098
Commercial guides; 301 KAR 2:030.....	64	Undesirables, prohibition on; 811 KAR 1:160.....	1123
Devices for taking wildlife, use of; 301 KAR 2:020.....	33	Violations; 811 KAR 1:190.....	1125
Endangered species; 301 KAR 3:060.....	476		
Land Between the Lakes hunting rules; 301 KAR 2:050.....	65	HEALTH SERVICES	
Migratory birds; seasons, limits; 301 KAR 2:021E.....	24	Alcohol, drugs and Occupational Programs	
Migratory game; means of taking; 301 KAR 2:090.....	732	Client's rights; 902 KAR 3:020.....	1128
Pits and blinds; restrictions; 301 KAR 2:055.....	600	Definitions; alcohol program; 902 KAR 3:005.....	1126
Propagation, pets; permits; 301 KAR 2:030.....	732	Dietetic services; 902 KAR 3:045.....	1129
Steel traps, use of; 301 KAR 2:010.....	33	Evaluation; 902 KAR 3:035.....	1128
Turkey, wild; 301 KAR 3:050.....	475	Fiscal management; 902 KAR 3:025.....	1128
Upland game shooting preserves; 301 KAR 2:040.....	64	General operation; 902 KAR 3:015.....	1127
Waterfowl seasons; limits; 301 KAR 2:022E.....	121	Licensing; 902 KAR 3:010.....	1127
Hunting and Fishing		Organization, administration; 902 KAR 3:007.....	1126
Depredation acts prohibited; 301 KAR 3:010.....	34	Personnel policies; 902 KAR 3:030.....	1128
Endangered species; 301 KAR 3:060.....	476	Physical requirements; 902 KAR 3:040.....	1128
License fees; 301 KAR 3:020.....	34	Specific program standards; 902 KAR 3:050.....	1129
Turkey, wild; 301 KAR 3:050.....	475	Certificate of Need and Licensure	
Year round season; exceptions; 301 KAR 3:030.....	600	Alcohol detoxification centers; 902 KAR 20:110.....	532
		Amulatory surgical center facilities; 902 KAR 20:100.....	1151
		Amulatory surgical center services; amended; 902 KAR 20:105.....	530, 989
		Certificate of need; 902 KAR 20:005.....	512
		Day health care programs; 902 KAR 20:065.....	521
		Developmentally disabled; special services; amended; 902 KAR 20:085.....	526, 985
		Emergency care; ambulance service; 902 KAR 20:115.....	1157
		Extended care, recuperation, services; 902 KAR 20:025.....	514
		Facilities; extended care; 902 KAR 20:020.....	915
		Facilities; mental health-mental retardation; 902 KAR 20:095.....	921

	Page
Services; 902 KAR 20:030.....	1134
CHILD WELFARE	
Adoptive parents; selection; approval; 905 KAR 1:030.....	294
Agencies, standards; 905 KAR 1:090.....	297
Application to place or receive child; 905 KAR 1:010.....	294
Boarding rates; 905 KAR 1:030.....	652
Foster parents; criteria; 905 KAR 1:040.....	651
Group home standards; 905 KAR 1:070.....	295
Institutions; standards; 905 KAR 1:090.....	297
Subsidies, approval; 905 KAR 1:050.....	295
CIVIL RIGHTS	
Advertising guidelines; employment; 104 KAR 1:040.....	238
Discrimination guidelines; 104 KAR 1:050.....	239
Employer records and reports; 104 KAR 1:030.....	237
Guidelines on discrimination; 104 KAR 1:050.....	239
Guidelines; employment advertising; 104 KAR 1:040.....	238
Multiple dwelling reporting; amended; 104 KAR 1:060.....	239, 451
Notices; posting and distributing; 104 KAR 1:010.....	234
Posting and distribution of notices; 104 KAR 1:010.....	234
Practice and procedure; Rules; 104 KAR 1:020.....	235
Records and reports; employer; 104 KAR 1:030.....	237
Rules of practice and procedure; 104 KAR 1:020.....	235
CONSERVATION	
Districts	
Direct Aid Program eligibility; amended;	
402 KAR 2:010.....	13, 694
Expenditures, limits on; amended; 402 KAR 2:020.....	14, 694
CONTROLLED SUBSTANCES	
Exempt preparations; 901 KAR 1:040.....	635
Licensing; manufacturers, wholesalers; 901 KAR 1:010.....	634
Prescription refills; 901 KAR 1:050.....	635
Prescription returns prohibited; 901 KAR 1:060.....	635
Schedule II; 901 KAR 1:020.....	634
Schedule III; 901 KAR 1:025.....	634
Schedule IV; 901 KAR 1:030.....	635
CORPORATE FILING	
Certificate of good standing; 30 KAR 1:010.....	326
Statements, reports, documents; 30 KAR 1:020.....	326
CORRECTIONS	
Probation and Parole	
Parole eligibility, time served for; 501 KAR 1:010.....	348
COSMETICS	
(see Food and Cosmetics)	
CRIME COMMISSION	
Grant applications, filing period; 500 KAR 5:015.....	1031
Meeting dates; 500 KAR 5:005.....	1031
DENTISTRY	
Applicant; requirements; 201 KAR 8:180.....	339
Application prior to graduation; 201 KAR 8:170.....	339
Auxiliary personnel; 201 KAR 8:135.....	337
Business, order of; 201 KAR 8:090.....	336
Clinical examination; 201 KAR 8:220.....	340
Clinical demonstration; 201 KAR 8:240.....	340
County registration; hygienists; 201 KAR 8:300.....	342
Dental hygiene; application; 201 KAR 8:260.....	340
Duplicate license certificate; 201 KAR 8:250.....	340
Duplicate license; hygienists; 201 KAR 8:310.....	342
Education; continuing; 201 KAR 8:140; 201 KAR 8:140E.....	346, 447
Education requirement; specialties; 201 KAR 8:345.....	344
Examination, application; 201 KAR 8:150.....	338
Examination committee; 201 KAR 8:190.....	339
Examination, qualifications; 201 KAR 8:160.....	339
Examination questions, release of; 201 KAR 8:200.....	340
Examination questions; review, approval; 201 KAR 8:210.....	340
Grade requirement; dental hygiene; 201 KAR 8:270.....	342
Grade requirement; written, clinical; 201 KAR 8:185;	
201 KAR 8:277.....	592
Hygienists' official register; 201 KAR 8:290.....	342
Hygienists' re-examination; 201 KAR 8:280.....	342
Interim administration; 201 KAR 8:100.....	336
Licensure, special; 201 KAR 8:120.....	336
Meeting, annual; 201 KAR 8:080.....	336
Notice of place of employment; hygienists; 201 KAR 8:320.....	342
Oath of office; 201 KAR 8:010.....	334
Organization; officers; 201 KAR 8:020.....	335
President, duties; 201 KAR 8:030.....	335
Re-examination; when; 201 KAR 8:230.....	340
Register; specialists; 201 KAR 8:355.....	344
Repayment contract; scholarship; 201 KAR 8:380.....	344
Retirement, reinstatement; hygienists; 201 KAR 8:330.....	342
Rules of order; 201 KAR 8:060.....	335
Rules and regulations; amendments to; 201 KAR 8:110.....	336
Salaries; office location; 201 KAR 8:050.....	335
Secretary-treasurer, duties; 201 KAR 8:040.....	335
Scholarship; administration; 201 KAR 8:375.....	344
Scholarship contract form; 201 KAR 8:385.....	344
Specialty application; examination; amended;	
201 KAR 8:340.....	343
Specialty grade requirement; 201 KAR 8:350.....	344
Vacancies, how filled; 201 KAR 8:070.....	336
Vice-president, duties; 201 KAR 8:035.....	335
X-rays, by assistants; 201 KAR 8:130.....	337

DEVELOPMENT

Agriculture	
Egg marketing; 302 KAR 10:010 to 302 KAR 10:090.....	734-737
Fairs and Shows; 302 KAR 15:010 to	
302 KAR 15:030.....	1022-1024
Grain storage; 302 KAR 35:010 to	
302 KAR 35:050.....	1028-1029
Livestock fund; dog damage; 302 KAR 5:010 to	
302 KAR 5:070.....	733-734
Livestock sanitation; 302 KAR 20:010 to	
302 KAR 20:100.....	737-744
Milk marketing; 302 KAR 25:005 to	
302 KAR 25:095.....	1025-1028
Weights and measures; general; 302 KAR 77:010 to	
302 KAR 77:020.....	754
Weights and measures; method of sale; 302 KAR 76:005 to	
302 KAR 76:085.....	751-754
Weights and measures; packaging and labeling;	
302 KAR 75:010 to 302 KAR 75:120.....	744-751
Soybean referendum; 302 KAR 1:010.....	150
Fair Board, State; 303 KAR 1:003 to	
303 KAR 1:090.....	754-755, 1029-1030
Fish and Wildlife Resources	
Fish; 301 KAR 1:010 through 301 KAR 1:120;	
301 KAR 1:082 through 301 KAR 1:155.....	64, 148-150,
241-243, 345-347, 474	
Game; 301 KAR 2:010 through 301 KAR 2:060;	
301 KAR 2:021E; 301 KAR 2:022E;	
301 KAR 2:070.....	24, 65, 121, 347, 475, 600
Hunting and Fishing; 301 KAR 3:010 through 301 KAR	
3:020; 301 KAR 3:050; 301 KAR 3:060.....	34, 475, 476, 600
Wildlife; 301 KAR 4:010; 301 KAR 4:020; 301 KAR 2:022E;	
301 KAR 2:025; 301 KAR 2:060; 301 KAR 2:070; 301	
KAR 2:070; 301 KAR 3:060.....	35, 65, 121, 347, 475, 476
Parks; 304 KAR 1:010 to 304 KAR 1:040.....	755-756

DISEASES

Communicable	
Carriers, groups; screening; 902 KAR 2:040.....	138
Control methods; 902 KAR 2:010.....	136
Control procedures; 902 KAR 2:030.....	187
Control procedures, application; 902 KAR 2:050.....	138
Definitions; 902 KAR 2:010.....	185
Immunization schedules; 902 KAR 2:060; amended.....	188, 460
Inspections; 902 KAR 2:030.....	187
Rabies control; 902 KAR 2:070.....	188
Reportable; 902 KAR 2:020.....	187
Surveillance; 902 KAR 2:040.....	138
Venereal disease; 902 KAR 2:080.....	169

DOGS

(See Agriculture; Livestock Fund)

DRIVER IMPROVEMENT

(See: Vehicle Regulation)

DRIVERS' LICENSE

Expired license; renewal; 601 KAR 12:020.....	1020
Instruction permit; 601 KAR 12:030.....	1038
Revocation	
Notice and hearing, prior to; 601 KAR 12:010.....	151

DRUG FORMULARY

Acetaminophen; 902 KAR 1:080.....	637
Ampicillin; amended; 902 KAR 1:020.....	101, 587
Chlorpromazine hydrochloride; 902 KAR 1:130.....	639
Diphenhydramine; 902 KAR 1:110.....	638
Erythromycin; amended; 902 KAR 1:030.....	102, 588
Generic formulary, distribution of; 902 KAR 1:010.....	101
Hydrochlorothiazide; 902 KAR 1:150.....	639
Oxytetracycline hydrochloride; 902 KAR 1:160.....	1125
Penicillin-G; amended; 902 KAR 1:040.....	102, 588
Penicillin-V; amended; 902 KAR 1:050.....	103, 589
Promethazine Hydrochloride; 902 KAR 1:120.....	638
Propoxyphene Hydrochloride; 902 KAR 1:170.....	1125
Risperine; 902 KAR 1:100.....	638
Sodium Pentobarbital; 902 KAR 1:060.....	104
Sodium Secobarbital; 902 KAR 1:070.....	104
Sulfisoxazole; amended; 902 KAR 1:140.....	639, 985
Tetracycline Hydrochloride; 902 KAR 1:180.....	1125
Trisulfapyrimidine; 902 KAR 1:090.....	637

EDUCATION

Administration and Finance

Buildings and Grounds

Construction application; 702 KAR 4:010.....	1045
Construction criteria; 702 KAR 4:060.....	1049
Contract; completion, changes, retainage;	
702 KAR 4:040.....	1046
Contract with architect, engineer; 702 KAR	
4:030.....	1046
Design requirements; 702 KAR 4:070.....	1047
Disposal of property; 702 KAR 4:090.....	1049
Plans and specifications; 702 KAR 4:020.....	1045
Recreational facilities; 702 KAR 4:005.....	1045
Site inspection, approval; 702 KAR 4:050.....	1046
Temporary, supplemental units; 702 KAR 4:080.....	1048
General Administration	
Employment, length of; amended; 702 KAR 1:020.....	68, 451
Facilities survey; 702 KAR 1:010.....	37
Insurance, group life program; 702 KAR 1:030.....	68
Pupil transportation	
Board's responsibilities; 702 KAR 5:040.....	1051

HUMAN RESOURCES

Administration and Operations

Controlled Substances

Exempt preparations; 901 KAR 1:040.....	635
Licensing; manufacturers, wholesalers; 901 KAR 1:010.....	634
Prescription refills; 901 KAR 1:050.....	635
Prescription returns prohibited; 901 KAR 1:060.....	635
Schedule II; 901 KAR 1:020.....	634
Schedule III; 901 KAR 1:025.....	634
Schedule IV; 901 KAR 1:030.....	635

Vital Statistics

Amended birth certificate; 901 KAR 5:070.....	637
Birth and death; verification; 901 KAR 5:040.....	636
Birth certified reissued; 901 KAR 5:060.....	636
Certified copies of certificate; 901 KAR 5:050.....	636
Delayed birth registration; 901 KAR 5:020.....	636
Delayed death registration; 901 KAR 5:080.....	637
State registrar; 901 KAR 5:010.....	635
Stillbirths; 901 KAR 5:030.....	636

Health Services

Alcohol, Drugs and Occupational Programs

Client's rights; 902 KAR 3:020.....	1128
Definitions; alcohol program; 902 KAR 3:005.....	1126
Dietetic services; 902 KAR 3:045.....	1129
Evaluation; 902 KAR 3:035.....	1128
Fiscal management; 902 KAR 3:025.....	1128
General operation; 902 KAR 3:015.....	1127
Licensing; 902 KAR 3:010.....	1127
Organization, administration; 902 KAR 3:007.....	1126
Personnel policies; 902 KAR 3:030.....	1126
Physical requirements; 902 KAR 3:040.....	1128
Specific program standards; 902 KAR 3:050.....	1129

Certificate of Need and Licensure

Alcohol detoxification centers; 902 KAR 20:110.....	532
Ambulatory surgical center facilities; 902 KAR 20:100.....	1151
Ambulatory surgical center services; amended; 902 KAR 20:105.....	530, 989
Certificate of need; 902 KAR 20:005.....	512
Day health care programs; 902 KAR 20:065.....	521
Developmentally disabled; special services; amended; 902 KAR 20:085.....	526, 985
Extended care, recuperation, services; 902 KAR 20:025.....	514
Emergency care; ambulance service; 902 KAR 20:115.....	1157
Facilities; extended care; 902 KAR 20:020.....	915
Facilities; mental health-mental retardation; 902 KAR 20:095.....	921
Home health agencies; 902 KAR 20:080.....	524
Hospital services; operations; 902 KAR 20:015.....	513
Intermediate care facilities; 902 KAR 20:050.....	374
Intermediate care facilities; construction, alteration; 902 KAR 20:055.....	1141
License fees; 902 KAR 20:007.....	1134
Mental health, mental retardation, community services; 902 KAR 20:090.....	529
Mentally retarded; special services; amended; 902 KAR 20:085.....	526, 985
Outpatient clinics; ambulatory care facilities; 902 KAR 20:070.....	1145
Outpatient clinics; ambulatory care services; 902 KAR 20:075.....	523
Personal Care Homes Construction, alteration; 902 KAR 20:035.....	1137
Services; 902 KAR 20:030.....	1134

Communicable Diseases

Carriers, groups; screening; 902 KAR 2:040.....	188
Control methods; 902 KAR 2:010.....	186
Control procedures; 902 KAR 2:030.....	187
Control procedures, application; 902 KAR 2:050.....	188
Definitions; 902 KAR 2:010.....	186
Immunization schedules; 902 KAR 2:060; amended.....	188
Inspections; 902 KAR 2:030.....	187
Rabies control; 902 KAR 2:070.....	188
Reportable; 902 KAR 2:020.....	187
Surveillance; 902 KAR 2:040.....	188
Venereal disease; 902 KAR 2:080.....	189

Drug Formulary

Acetaminophen; 902 KAR 1:080.....	637
Ampicillin; amended; 902 KAR 1:020.....	101, 587
Chlorpromazine Hydrochloride; 902 KAR 1:130.....	639
Diphenhydramine; 902 KAR 1:110.....	638
Erythromycin; amended; 902 KAR 1:030.....	102, 588
Generic formulary distribution; 902 KAR 1:010.....	101
Hydrochlorothiazide; 902 KAR 1:150.....	639
Oxytetracycline Hydrochloride; 902 KAR 1:160.....	1125
Penicillin-G; amended; 902 KAR 1:040.....	102, 588
Penicillin-V; amended; 902 KAR 1:050.....	103, 589
Promethazine Hydrochloride; 902 KAR 1:120.....	638
Propoxyphene Hydrochloride; 902 KAR 1:170.....	1125
Reserpine; 902 KAR 1:100.....	638
Sodium Pentobarbital; 902 KAR 1:060.....	104
Sodium Secobarbital; 902 KAR 1:070.....	104
Sulfisoxazole; amended; 902 KAR 1:140.....	639, 985
Tetracycline Hydrochloride; 902 KAR 1:180.....	1125
Trisulfapyrimidine; 902 KAR 1:090.....	637

Food and Cosmetics

Bakery products; 902 KAR 45:030.....	537
Carbonated beverages; 902 KAR 45:040.....	539

Cosmetic packaging and labeling;

902 KAR 45:060.....	547
Definitions; 902 KAR 45:010.....	533
Food packaging and labeling; 902 KAR 45:050.....	543
Food service code; 902 KAR 45:005.....	645
Salvage; 902 KAR 45:080.....	550
Sanitation; retail food markets; 902 KAR 45:045.....	542
Shellfish; 902 KAR 45:020.....	534
Vending machines; food and beverages; 902 KAR 45:100.....	552

Hospitals and Institutions

Patients' fees; 902 KAR 5:010.....	369
Maternal and Child Care Eyes, care of; 902 KAR 4:020.....	640
Midwifery; 902 KAR 4:010.....	640
PKU tests; 902 KAR 4:030.....	640

Milk and Milk Products

Dating requirements; 902 KAR 50:080.....	293
Definitions, milk; 902 KAR 50:010.....	279
Farm manufacturing requirements; 902 KAR 50:030.....	284
Frozen desserts; 902 KAR 50:060.....	293
Grade A requirements; 902 KAR 50:020.....	280
Hauler requirements; 902 KAR 50:040.....	287
Identity standards; 902 KAR 50:070.....	293
Manufacturing plant requirements; 902 KAR 50:050.....	288

Park Standards

Mobile homes; 902 KAR 15:010.....	369
Recreational vehicles; 902 KAR 15:020.....	371

Public Accommodations

Hotel and motel code; 902 KAR 7:010.....	641
--	-----

Radiation Operators' Certification

Chiropractor supervision; 902 KAR 105:050.....	1160
Definitions; 902 KAR 105:010.....	1158
General requirements; 902 KAR 105:020.....	1158
Medical, osteopathic supervision; 902 KAR 105:040.....	1160
Podiatrist supervision; 902 KAR 105:060.....	1161
Teaching institution's curricula; 902 KAR 105:030.....	1159
Violations, enforcement; 902 KAR 105:070.....	1161

Radiology

Cabinet systems; 902 KAR 100:145.....	417
Classification groups; 902 KAR 100:075.....	404
Concentrations; air and water; 902 KAR 100:025.....	388
Concentrations, exempt; 902 KAR 100:085.....	405
Definitions; 902 KAR 100:010.....	381
Dental; 902 KAR 100:130.....	415
Exemptions; 902 KAR 100:045.....	396
General applicability; 902 KAR 100:005.....	380
General requirements; 902 KAR 100:015.....	384
Industrial radiography; 902 KAR 100:100.....	408
Leak testing; 902 KAR 100:060.....	402
License limits; 902 KAR 100:090.....	406
Licenses, general; 902 KAR 100:050.....	397
Licenses, specific; 902 KAR 100:055.....	400
Licenses, specific; general provisions; 902 KAR 100:040.....	394
Notices, reports, instructions to employees; 902 KAR 100:165.....	420
Particle accelerator; 902 KAR 100:155.....	419
Plan review; 902 KAR 100:160.....	420
Posting, disposal; 902 KAR 100:030.....	391
Proceedings; 902 KAR 100:170.....	421
Quantities, exempt; 902 KAR 100:080.....	404
Reciprocal recognition; 902 KAR 100:065.....	403
Repeals; 902 KAR 100:001.....	380
Sealed sources; 902 KAR 100:095.....	407
Standards; 902 KAR 100:020.....	384
Therapy; 902 KAR 100:135.....	415
Transport; 902 KAR 100:035.....	392
Transportation, intrastate; 902 KAR 100:070.....	403
Veterinarians; 902 KAR 100:140.....	416
X-ray, diagnostic; 902 KAR 100:115.....	412
X-ray, fluoroscopic; 902 KAR 100:125.....	413
X-ray, general; 902 KAR 100:105.....	410
X-ray, microscopic analytical; 902 KAR 100:150.....	418
X-ray, registration; 902 KAR 100:110.....	411
X-ray, special; 902 KAR 100:120.....	412

Regional Mental Health-Mental Retardation Boards

Authority; 902 KAR 6:010.....	1131
Hospital districts; 902 KAR 6:040.....	1133
Personnel rules; 902 KAR 6:020.....	1131
Structure, operation; grant eligibility; 902 KAR 6:030.....	1132

Sanitation

Frozen food locker plants; 902 KAR 10:020.....	510
Public rest rooms; 902 KAR 10:010.....	369
Sanitarians; 902 KAR 10:030.....	511
Youth camps; 902 KAR 10:040.....	642

Manpower Services

Employment Services

Private agencies; 903 KAR 1:010.....	1161
--------------------------------------	------

Social Services

Child Welfare

Adoptive parents; selection, approval; 905 KAR 1:030.....	294
Agencies, standards; 905 KAR 1:090.....	297
Application to place or receive child; 905 KAR 1:010.....	294
Boarding rates; 905 KAR 1:080.....	652
Poster parents; 905 KAR 1:040.....	651
Group homes standards; 905 KAR 1:070.....	295

Institutions, standards; 905 KAR 1:090.....	297
Subsidies, approval; 905 KAR 1:050.....	295
Day Care	
Infants and toddlers; 905 KAR 2:035.....	656
Nighttime care; 905 KAR 2:040.....	656
School-age children; 905 KAR 2:030.....	655
Standards, all facilities; 905 KAR 2:010.....	652
Standards, type I; 905 KAR 2:020.....	653
Standards, type II; 905 KAR 2:025.....	654
Transportation; 905 KAR 2:060.....	657
Medical Assistance	
Pharmacy services; 904 KAR 1:020E.....	323
Physician services; 904 KAR 1:010E.....	323
Public Assistance	
AFDC; need, amount standards; 904 KAR 2:010.....	423

HUMAN RIGHTS

Advertising guidelines; employment; 104 KAR 1:040.....	238
Discrimination guidelines; 104 KAR 1:050.....	239
Employer records and reports; 104 KAR 1:030.....	237
Guidelines on discrimination; 104 KAR 1:050.....	239
Guidelines; employment advertising; 104 KAR 1:040.....	238
Multiple dwelling reporting; 104 KAR 1:060; amended;.....	239, 447
Notices; posting and distributing; 104 KAR 1:010.....	234
Posting of notices; 104 KAR 1:010.....	234
Practice and Procedure; rules; 104 KAR 1:020.....	235
Records and reports; employer; 104 KAR 1:030.....	237
Rules of practice and procedure; 104 KAR 1:020.....	235

HUNTING AND FISHING

Angling; limits, seasons; 301 KAR 1:055.....	149
Aquatic organisms and fish, taking of; 301 KAR 1:080.....	63
Backwaters, rough fish from; 301 KAR 1:070.....	63
Bait for personal use; 301 KAR 1:130.....	242
Ballard Refuge restrictions; 301 KAR 4:020.....	65
Birds of prey; 301 KAR 2:070.....	475
Boat docks on state lakes; 301 KAR 1:010.....	33
Boating; 301 KAR 1:012.....	148
Boats, size; 301 KAR 1:015.....	148
Bobwhite sales for food; 301 KAR 2:060.....	347
Bow fishing; 301 KAR 1:090.....	63
Calling devices; 301 KAR 2:025.....	347
Commercial fishing gear; amended; 301 KAR 1:145.....	474, 971
Commercial fishing; requirements; 301 KAR 1:155.....	243
Commercial fishing, waters open to; amended; 301 KAR 1:150.....	242, 972
Concession stands on state lakes; 301 KAR 1:010.....	33
Cumberland Gap Park restrictions; 301 KAR 1:035.....	149
Depredation acts prohibited; 301 KAR 3:010.....	34
Devices, use of; 301 KAR 2:020.....	33
Endangered species; 301 KAR 3:060.....	476
Frog seasons; limits; 301 KAR 1:082.....	241
Gigging, snagging, tickling and noodling; 301 KAR 1:075.....	149
Guides, commercial; 301 KAR 2:030.....	64
Hatching or raising fish in public waters prohibited; 301 KAR 1:110.....	64
Importing, possession; prohibitions; 301 KAR 1:122.....	346
Lakes, small, special regulation of; 301 KAR 1:050.....	62
Land-Between-the-Lakes; 301 KAR 1:031.....	346
Land-Between-the-Lakes hunting rules; 301 KAR 2:050.....	65
License fees; 301 KAR 3:020.....	34
Licensure; live fish sales, handling; 301 KAR 1:120.....	150
Live bait sales; 301 KAR 1:132.....	347
Live fish sales, handling; 301 KAR 1:120.....	150
Migratory birds; seasons, limits; 301 KAR 2:021E.....	35
Migratory game; means of taking; 301 KAR 2:090.....	732
Motors, outboard, size; 301 KAR 1:015.....	148
Mussel snail harvesting; 301 KAR 1:085.....	241
Pits and blinds; restrictions; 301 KAR 2:055.....	600
Private camps; boat docks; 301 KAR 1:016.....	345
Prohibited species; 301 KAR 1:122.....	346
Propagation; fish, etc.; 301 KAR 1:115.....	241
Propagation, pets; permits; 301 KAR 2:080.....	732
Snagging; 301 KAR 1:020.....	33
Sport and rough fish; 301 KAR 1:060.....	63
Steel traps, use of; 301 KAR 2:010.....	33
Tennessee River closing hours; 301 KAR 1:030.....	33
Transporting; 301 KAR 1:125.....	346
Trotlines; 301 KAR 1:057.....	346
Trout stamp; 301 KAR 1:100.....	63
Upland game shooting preserves; 301 KAR 2:040.....	64
Waterfowl seasons; limits; 301 KAR 2:022E.....	121
Wild turkey; 301 KAR 2:070.....	475
Year round season; exceptions; 301 KAR 3:030.....	600

INCOME TAX

Corporations	
Airlines; apportionment, allocation; 103 KAR 16:120.....	224
Application of regulations; 103 KAR 16:050.....	138
Bus lines; apportionment, allocation; 103 KAR 16:120.....	224
Coal royalty, taxable; 103 KAR 16:010.....	138
Construction companies; apportionment, allocation; 103 KAR 16:160.....	225
Deductions, net operating loss; 103 KAR 16:030.....	138
Income classifications; 103 KAR 16:060.....	138
Loan companies; apportionment, allocation; 103 KAR 16:150.....	225
Payroll factor apportionment; 103 KAR 16:090.....	143
Pipeline companies; apportionment, allocation; 103 KAR 16:110.....	224
Property factor apportionment; 103 KAR 16:080.....	141

Railroad companies; apportionment, allocation; 103 KAR 16:130.....	224
Sales factor apportionment; 103 KAR 16:070.....	140
Subchapter S; 103 KAR 16:140.....	701
Telegraph companies; apportionment, allocation; 103 KAR 16:100.....	224
Telephone companies; apportionment, allocation; 103 KAR 16:100.....	224
Trucklines; apportionment, allocation; 103 KAR 16:120.....	224
General Administration	
Dates, extensions, for filing; 103 KAR 15:050.....	328
Declarations, amended; 103 KAR 15:060.....	328
Estimated tax; 103 KAR 15:060.....	328
Extensions; 103 KAR 15:050.....	328
Government bonds; sale of; 103 KAR 15:030.....	701
Short years; 103 KAR 15:060.....	328
Statute of limitations; 103 KAR 15:040.....	327
Individual	
Combined returns; 103 KAR 17:020.....	225
Credits, personal; 103 KAR 17:070.....	226
Deductions, federal; 103 KAR 17:090.....	227
Deductions, standard; 103 KAR 17:050.....	226
Extension for filing, military; 103 KAR 17:040.....	226
Federal deductions and refunds; 103 KAR 17:090.....	227
Filing requirements; 103 KAR 17:030.....	226
Income, portions; subject to taxation; 103 KAR 17:060.....	329
Military personnel; filing extension; 103 KAR 17:040.....	226
Refunds, federal; 103 KAR 17:090.....	227
Residence; 103 KAR 17:010.....	328
Retirement income; 103 KAR 17:080.....	227
Standard deduction; 103 KAR 17:050.....	226
Tax credits, personal; 103 KAR 17:070.....	226
Miscellaneous	
Estates and trusts, computation; 103 KAR 19:010.....	332
Returns, information; 103 KAR 19:030.....	332
Protests and appeals; 103 KAR 1:010; amended;.....	137, 324
Withholding	
Adjustment; 103 KAR 18:020.....	227
Annual payment; 103 KAR 18:040.....	329
Bond, compliance; 103 KAR 18:120.....	331
Exemption certificates; 103 KAR 18:100.....	331
Forms, statements; 103 KAR 18:050.....	329
Methods; 103 KAR 18:110.....	331
Miscellaneous pay period; 103 KAR 18:060.....	330
Errors; adjustment; 103 KAR 18:020.....	227
Monthly reporting requirements; 103 KAR 18:030.....	228
Payroll records; 103 KAR 18:090.....	330
Reporting requirements, monthly; 103 KAR 18:030.....	228
Requirement to withhold; 103 KAR 18:010.....	329
Supplemental wages; 103 KAR 18:070.....	330

INSURANCE

Aircraft	
Insurance and indemnity bonds requirements; 602 KAR 1:040.....	36
Fire Marshal	
Boilers; 806 KAR 50:151 to 806 KAR 50:175.....	359-368
Boiler standards; 806 KAR 50:150.....	170
Construction requirements, general; 806 KAR 50:010; amended;.....	90, 215
Construction requirements to accommodate physically handicapped; 806 KAR 50:020; amended;.....	94, 222
Fire Department aid; 806 KAR 50:100.....	97
Flammable liquids; self-service stations; 806 KAR 50:030.....	96
LP Gas license denial, revocation, suspension; 806 KAR 50:050.....	95
LP Gas license; financial responsibility; 806 KAR 50:060.....	96
LP Gas; standby usage; 806 KAR 50:070.....	96
Mobile homes; 806 KAR 50:200; amended;.....	97, 456
Recreational vehicles; 806 KAR 50:200.....	97
Insurance Code	
Administration	
Complaints; 806 KAR 2:050.....	855
Hearings, public; 806 KAR 2:080.....	855
Interests, rewards, prohibited; 806 KAR 2:020.....	854
Records, certificates, licenses; 806 KAR 2:040.....	854
Records, preservation of; 806 KAR 2:070.....	855
Regulations, copies of; 806 KAR 2:030.....	854
Seal facsimile; 806 KAR 2:010.....	854
Administration of Deposits	
Assets, valuation of; 806 KAR 8:010.....	1076
Agents, Consultants, Solicitors and Adjusters	
Adjusters; examinations, licenses, restrictions; 806 KAR 9:030.....	860
Adjusters, unlicensed; 806 KAR 9:120.....	862
Agents' associations, professional, membership in; 806 KAR 9:080.....	861
Agents, adjusters, professional designations; 806 KAR 9:140.....	862
Agent's assumed business name; 806 KAR 9:130.....	862
Agents, life training program; 806 KAR 9:150.....	862
Agents, officers as; 806 KAR 9:005.....	1076
Agent's records; 806 KAR 9:050.....	861
Consultants; 806 KAR 9:160.....	1076
Contract termination, agent's rights; 806 KAR 9:110.....	862
Examination re-take limits; 806 KAR 9:070.....	861
Identification cards; 806 KAR 9:060.....	861
Interim license; 806 KAR 9:010.....	860
Name, title; false, deceptive, prohibited; 806 KAR 9:020.....	860

	Page		Page
Solicitor fulltime, defined; 806 KAR 9:090.....	861	Motor Vehicle Reparatons (No-Fault)	
Termination statement; 806 KAR 9:100.....	862	Governmental units excluded; 806 KAR 39:040.....	879
Variable annuity agent's examination exception; 806 KAR 9:040.....	861	Motor vehicle defined; 806 KAR 39:010.....	879
Assets and Liabilities		Pedestrian defined; 806 KAR 39:020.....	879
Assets, temporary transfers prohibited; 806 KAR 6:020.....	858	Rejection form; 806 KAR 39:030.....	879
Dividends, reserves for; 806 KAR 6:040.....	859	Self-insurance; 806 KAR 39:050.....	880
Investment letter stock; 806 KAR 6:030.....	859	No-Fault Insurance (See Motor Vehicle Reparatons)	
Securities valuation reserve; 806 KAR 6:050.....	859	Rates and Rating Organizations	
Valuation standards, audits; 806 KAR 6:010.....	858	Automobile fleet defined; 806 KAR 13:040.....	865
Authorization of Insurers and General Requirements		Excess rates; consent form; 806 KAR 13:020.....	864
Annual statements; 806 KAR 3:020.....	856	Filing requirements; suspension, modification; 806 KAR 13:015.....	1081
Annual statement forms; 806 KAR 3:070.....	856	Groups defined; rate filings; 806 KAR 13:080.....	866
Authorization; 806 KAR 3:110.....	857	Kentucky Automobile Insurance Plan; 806 KAR 13:070.....	865
Bona fide surplus; 806 KAR 3:050.....	856	Loss experience data filing; 806 KAR 13:060.....	865
Capital position, date of; 806 KAR 3:040.....	856	Premium financing; 806 KAR 13:090.....	1081
Deposits, foreign insurers; 806 KAR 3:090.....	856	Rate deviations; 806 KAR 13:030.....	865
Deposit substitute; reciprocity; 806 KAR 3:060.....	856	Rate filings, new; renewals, hearings; 806 KAR 13:010.....	864
Interstate, multiple location lines; 806 KAR 3:100.....	857	Rate information; charge; 806 KAR 13:050.....	865
Investment proposal; 806 KAR 3:120.....	857	Rate revision filing procedure; 806 KAR 13:005.....	1080
Bail Bondsmen		Surplus Lines	
Bonding limitations; 806 KAR 34:030.....	878	Dailies, filing of; 806 KAR 10:020.....	1076
Collateral security; 806 KAR 34:070.....	1089	Eligible insurers; 806 KAR 10:010.....	863
Definitions; 806 KAR 34:005.....	1088	Trade Practices and Frauds	
Examination; 806 KAR 34:050.....	1088	Advertising; 806 KAR 12:010.....	863
Identification card; 806 KAR 34:010.....	878	Credit transaction insurance; 806 KAR 12:040.....	1079
Liability ratio; 806 KAR 34:040.....	878	Disclosure on replacements; 806 KAR 12:050.....	1079
License, display of; 806 KAR 34:010.....	878	Fair disclosure; 806 KAR 12:020.....	1077
Records		Replacements; 806 KAR 12:030.....	1078
Kept in Kentucky; 806 KAR 34:065.....	1089		
Maintained; 806 KAR 34:060.....	1089	KENTUCKY LAW ENFORCEMENT COUNCIL	
Residency requirements; 806 KAR 34:055.....	1088	Certification	
Unsatisfied judgments; 806 KAR 34:020.....	878	Basic training; 503 KAR 1:040.....	781
Credit Life and Credit Health Insurance		Graduates of in-service schools; 503 KAR 1:050.....	781
Claims; secondary beneficiary; 806 KAR 19:020.....	869	Instructors; 503 KAR 1:030.....	780
Debt, options, extinguishment of; 806 KAR 19:040.....	1084	Schools; 503 KAR 1:020.....	779
Death, dismemberment combined; 806 KAR 19:050.....	1084	Training Courses	
Joint lines; 806 KAR 19:060.....	1084	Application; 503 KAR 1:010.....	779
Refunds; unearned premium; computation; 806 KAR 19:030.....	870	Eligibility; 503 KAR 1:010.....	779
Transaction requirements; 806 KAR 19:010.....	1083	In-service schools; 503 KAR 1:050.....	781
Domestic Stock and Mutual Insurers		Repeals; 503 KAR 1:059.....	781
Control, change of; 806 KAR 24:020.....	1085		
Information required; 806 KAR 24:010.....	1084	LABOR	
Health Insurance Contracts		Elevator Safety	
Other coverage disclosure; 806 KAR 17:020.....	1083	Standards; 803 KAR 4:010.....	50
Surgical schedule; 806 KAR 17:030.....	1083	Kentucky Occupational Safety and Health Review Commission	
Unearned premium, refund of; 806 KAR 17:010.....	1083	Hearings; procedures, disposition; 803 KAR 50:010.....	349
Health Maintenance Organization		Occupational Safety and Health	
Agents' license; 806 KAR 38:020.....	1090	Adoption of 29 CFR Part 1910; amended; 803 KAR 2:020; 803 KAR 2:020E.....	88, 699, 691
Certificate of authority; 806 KAR 38:010.....	1090	Adoption of 29 CFR Part 1926; 803 KAR 2:030; amended; 803 KAR 2:030E.....	89, 214, 700, 692
Contract filing; 806 KAR 38:030.....	1090	Board procedure; 803 KAR 2:010.....	833
Financial projections; area overlapping; 806 KAR 38:040.....	1090	Carcinogens, registering of; 803 KAR 2:160.....	163
Fiscal soundness; 806 KAR 38:050.....	1091	Citations; 803 KAR 2:120.....	161
Insider Trading of Equity Securities		Citations; posting of; 803 KAR 2:125.....	162
Proxies, consents, authorizations; 806 KAR 26:010.....	870	Complaint, time for filing; 803 KAR 2:150.....	162
Trading requirements; 806 KAR 26:020.....	874	Conferences, informal; 803 KAR 2:130.....	162
Insurance Contract		Contests, employer and employee; 803 KAR 2:140.....	162
Additional benefits, policyholders; 806 KAR 14:050.....	867	Danger, imminent; 803 KAR 2:100.....	160
Binders; 806 KAR 14:020.....	866	Definitions; 803 KAR 2:040.....	158
Certificates; 806 KAR 14:100.....	1082	Employers' responsibilities; 803 KAR 2:060.....	158
Dividend plans; 806 KAR 14:110.....	1082	Inspections, advance notice of; 803 KAR 2:080.....	159
Employer's insurable interest; 806 KAR 14:040.....	866	Inspections; procedure; 803 KAR 2:070.....	159
Endorsement, auto; 806 KAR 14:070.....	1081	Inspections unwarranted; complaint; 803 KAR 2:090.....	160
Group certificate filing; 806 KAR 14:060.....	867	Penalties; 803 KAR 2:115.....	161
Grouping restrictions; 806 KAR 14:090.....	1082	Recordkeeping; statistics; 803 KAR 2:180.....	835
Municipal tax on policy; 806 KAR 14:080.....	1082	Representatives for employer, employee; 803 KAR 2:110.....	161
Policy dividends, participating; 806 KAR 14:030.....	866	Scope; 803 KAR 2:050.....	158
Proof of loss; form; 806 KAR 14:010.....	866	Trade secrets; 803 KAR 2:095.....	160
Rate, form filing; 806 KAR 14:005.....	1081	Variances; 803 KAR 2:170.....	163
Insurance Premium Finance Companies		Wages and Hours Standards	
Account, receipt statement; 806 KAR 30:040.....	1086	Administrators and supervisors; amended; 803 KAR 1:070.....	255, 586
Books, records, inspection of; 806 KAR 30:070.....	1087	Apprentices and trainees, employment of; 803 KAR 1:020.....	48
Forms, approval; 806 KAR 30:060.....	1087	Apprenticeship programs, registration of; 803 KAR 1:010.....	47
License application; 806 KAR 30:010.....	1086	Board, lodging, gratuities and other allowances; 803 KAR 1:080.....	153
License representations; 806 KAR 30:030.....	1086	Child labor; 803 KAR 1:100.....	157
Minimum service charge abuse; 806 KAR 30:020.....	1086	Commissioner's determination, review of; amended; 803 KAR 1:040.....	49, 120
Prepayment, refinancing; 806 KAR 30:050.....	1087	Contractors' records; 803 KAR 1:050.....	50
Investments		Contractors, subcontractors; 803 KAR 1:045.....	833
Domestic insurer's finance committee; 806 KAR 7:030.....	859	Employe-employer relationship; 803 KAR 1:005.....	249
Equipment trust obligation; 806 KAR 7:050.....	859	Exclusion from minimum wage; overtime; 803 KAR 1:075.....	256
Exchange traded call options; 806 KAR 7:080.....	1075	Executives; amended; 803 KAR 1:070.....	255, 586
Housing developments; 806 KAR 7:060.....	1075	Fringe benefits; 803 KAR 1:085.....	155
Obligations, method of amortization; 806 KAR 7:070.....	860	Handicapped, sheltered workshop, student employees; 803 KAR 1:090; amended.....	156, 324
Person defined; 806 KAR 7:020.....	859	Hours worked; 803 KAR 1:065.....	253
Prohibited, loans to relatives; 806 KAR 7:010.....	1075	Overtime pay requirements; 803 KAR 1:060; amended.....	251, 451
Kind of Insurance: Limits of Risks; Reinsurance		Prevailing wage determinations, hearings on; amended; 803 KAR 1:030.....	49, 119
Agreements, illegitimate use as; 806 KAR 5:020.....	1074	Professionals; amended; 803 KAR 1:070.....	255, 586
Bail bonds; surety insurance to exclude; 806 KAR 5:030.....	857	Record keeping requirements; 803 KAR 1:066.....	510
Nationwide marine defined; 806 KAR 5:020.....	1074	Salesmen; amended; 803 KAR 1:070.....	255, 586
Reinsurance treaties, contracts; 806 KAR 5:010.....	857		
Life Insurance and Annuity Contracts			
Variable annuity; 806 KAR 15:010.....	867		
Wholesale life; contribution, dividends; 806 KAR 15:020.....	869		

Workmen's Compensation

Average weekly wage certification; 803 KAR 25:040.....	840
Joint liability; special fund, employer; 803 KAR 25:030.....	839
Payment; time limit on; 803 KAR 25:050.....	840
Procedure; 803 KAR 25:010.....	836
Self-insurers; 803 KAR 25:020.....	838

LAND RESOURCES

Conservation Districts

Direct Aid Program, eligibility for; amended; 402 KAR 2:010.....	13, 694
Expenditures, limits on; amended; 402 KAR 2:020.....	14, 694

Mining and Reclamation

Access roads; 402 KAR 1:025.....	773
Backfilling, grading; 402 KAR 1:030.....	774
Blasting; 402 KAR 1:050.....	778
Diesel equipment in underground coal mines; 805 KAR 2:010.....	168
Oil and Gas; 805 KAR 1:030.....	89
Permits; 402 KAR 1:035.....	776
Preplanning; 402 KAR 1:045.....	777
Surface effects, plans of; 402 KAR 1:010; amended;.....	11, 211, 448
Vegetative cover; 402 KAR 1:040.....	776
Water impoundments; 402 KAR 1:060.....	778
Water quality; 402 KAR 1:055.....	778

LANDSCAPE ARCHITECTS

Applications; 201 KAR 10:040.....	594
Board duties; 201 KAR 10:010.....	592
Ethics, code of; 201 KAR 10:030.....	593
Fees; 201 KAR 10:050.....	594
Hearings; 201 KAR 10:020.....	593
Renewals; 201 KAR 10:060.....	594
Seals; 201 KAR 10:070.....	594

LAW AND JUSTICE

Attorney General; 40 KAR 1:010 and 40 KAR 1:020; amended;.....	8, 118
---	--------

Crime Commission

Grant applications, filing; 500 KAR 5:015.....	1031
Meeting dates; 500 KAR 5:005.....	1031

Probation and Parole

Parole eligibility, time served for; 501 KAR 1:010.....	348
---	-----

State Police

Accident reports; 502 KAR 15:010.....	1034
Driver training; 502 KAR 10:010 to 502 KAR 10:080.....	1031-1034
Promotional system; 502 KAR 5:010; 502 KAR 5:010E.....	626, 584

Training, Bureau of

Kentucky Law Enforcement Council

Application, eligibility for courses; 503 KAR 1:010.....	779
Basic training certificate; 503 KAR 1:040.....	781
In-service schools; graduates; 503 KAR 1:050.....	781
Instructor's certification; 503 KAR 1:030.....	780
Repeals; 503 KAR 1:059.....	781
Schools certification; 503 KAR 1:020.....	779

Law Enforcement Foundation Program Fund

Appeals; 503 KAR 5:070.....	1037
Definitions; 503 KAR 5:010.....	1034
Funds; suspension, termination; 503 KAR 5:060.....	1037
Incentive plan; 503 KAR 5:040.....	1036
Participation requirements; 503 KAR 5:020.....	1035
Salary; 503 KAR 5:050.....	1036
Training; basic, in-service; 503 KAR 5:030.....	1035

LEGISLATIVE RESEARCH COMMISSION

Administrative Register; amended; 1 KAR 1:010.....	7, 118
Regulations, form of; amended; 1 KAR 1:010.....	7, 118

LIVESTOCK FUND

(See Agriculture)

LIVESTOCK SANITATION

(See Agriculture)

LOANS AND GRANTS

Student incentive grants; 11 KAR 1:010; 11 KAR 4:010E.....	30, 22
--	--------

LOCAL GOVERNMENT, OFFICE OF

Bonds and Obligations

Marketing assistance; 200 KAR 10:030.....	592
---	-----

District Boards

Membership; 200 KAR 10:010.....	591
Directors, terms; 200 KAR 10:010.....	591

MANPOWER SERVICES

Employment Services

Private agencies; 903 KAR 1:010.....	1161
--------------------------------------	------

MATERNAL AND CHILD HEALTH

Eyes, care of; 902 KAR 4:020.....	640
Midwifery; 902 KAR 4:010.....	640
PKU tests; 902 KAR 4:030.....	640

MEDICAL ASSISTANCE

Pharmacy Services

Fees for dispensing; 904 KAR 1:020E.....	323
--	-----

Physician Services

Fees, method of; 904 KAR 1:010E.....	323
--------------------------------------	-----

MEDICAL LICENSURE

Approved schools; 201 KAR 9:020.....	470
--------------------------------------	-----

Conduct, code of; 201 KAR 9:010.....	470
Examinations; 201 KAR 9:030.....	472
Hearing procedures; 201 KAR 9:080.....	473
License fees; 201 KAR 9:040.....	472
License renewal; 201 KAR 9:050.....	472
Licenses, limited; 201 KAR 9:060.....	472
Permits, temporary and emergency; 201 KAR 9:070.....	473
Physio-therapeutics; 201 KAR 9:090.....	474
Probation, suspension, revocation; 201 KAR 9:080.....	473
Qualifications for licensing; 201 KAR 9:020.....	470
Registration, annual; 201 KAR 9:050.....	472

MERIT SYSTEM

Personnel Rules

Annual leave; 101 KAR 1:140.....	133
Appeals; 101 KAR 1:130.....	131
Applications; 101 KAR 1:060.....	126
Appointments, types of; 101 KAR 1:090.....	129
Attendance; 101 KAR 1:140.....	133
Board procedures; 101 KAR 1:030.....	123
Certification and selection of eligibles; 101 KAR 1:080.....	128
Classification plan; 101 KAR 1:040.....	124
Compensation plan; 101 KAR 1:050; amended;.....	124, 208, 693
Compensatory leave; 101 KAR 1:140.....	133
Court leave; 101 KAR 1:140; amended;.....	133, 209
Definitions; 101 KAR 1:010.....	123
Demotion; 101 KAR 1:110.....	130
Disciplinary actions; 101 KAR 1:120.....	131
Examinations; 101 KAR 1:060.....	126
General provisions; 101 KAR 1:020.....	123
Hours of work; 101 KAR 1:140.....	133
Military leave; 101 KAR 1:140.....	133
Probationary period; 101 KAR 1:100.....	130
Promotion; 101 KAR 1:110.....	130
Registers; 101 KAR 1:070.....	127
Retirement; 101 KAR 1:140.....	133
Separations; 101 KAR 1:120.....	131
Service; 101 KAR 1:140.....	133
Sick leave; 101 KAR 1:140.....	133
Special duty, detail to; 101 KAR 1:110.....	130
Transfers; 101 KAR 1:110.....	130
Voting leave; 101 KAR 1:140.....	133

MILK AND MILK PRODUCTS

Dating requirements; 902 KAR 50:080.....	293
Definitions, milk; 902 KAR 50:010.....	279
Farm manufacturing requirements; 902 KAR 50:030.....	284
Frozen desserts; 902 KAR 50:060.....	293
Grade A requirements; 902 KAR 50:020.....	286
Hauler requirements; 902 KAR 50:040.....	287
Identity standards; 902 KAR 50:070.....	293
Manufacturing plant requirements; 902 KAR 50:050.....	288

MILK MARKETING

(See: Agriculture)

MINES AND MINERALS

Diesel Equipment

Underground coal mine usage; 805 KAR 2:010.....	168
---	-----

Explosives and Blasting

Blasting safety; 805 KAR 4:060.....	1074
Blasting standards; 805 KAR 4:020.....	1072
Instrumentation; 805 KAR 4:040.....	1073
Licensing blasters; 805 KAR 4:010.....	1072
Records; 805 KAR 4:050.....	1073
Seismograph measurements; 805 KAR 4:030.....	1073

Oil and Gas

Gas storage reservoir, drilling in vicinity of; 805 KAR 1:080.....	1071
---	------

Plugging wells

Coal-bearing strata; 805 KAR 1:070.....	1070
---	------

Non coal-bearing strata; 805 KAR 1:060.....	1069
---	------

Surety bonds; requirements, cancellation; 805 KAR 1:050.....	633
---	-----

Vacuums, use of; 805 KAR 1:040.....	633
-------------------------------------	-----

Well location plat; preparation; 805 KAR 1:030.....	89
---	----

Surface Mining Safety Standards

Augering; 805 KAR 3:120.....	854
------------------------------	-----

Employee protection; 805 KAR 3:110.....	853
---	-----

Equipment use; operation; 805 KAR 3:100.....	853
--	-----

Electricity; 805 KAR 3:090.....	852
---------------------------------	-----

Travelways; 805 KAR 3:080.....	852
--------------------------------	-----

Loading, hauling, blasting; 805 KAR 3:070.....	851
--	-----

Drilling for blasting; 805 KAR 3:060.....	851
---	-----

Explosives; 805 KAR 3:050.....	849
--------------------------------	-----

Fire prevention; control; 805 KAR 3:040.....	849
--	-----

Ground control; 805 KAR 3:030.....	848
------------------------------------	-----

General standards; 805 KAR 3:020.....	848
---------------------------------------	-----

Definitions; 805 KAR 3:010.....	847
---------------------------------	-----

Underground; surface effects of reclamation;

402 KAR 1:010; amended;.....	11, 211, 448
------------------------------	--------------

MOTOR CARRIERS

Trucks, tractors, semi-trailers; etc.

Alternates; off-routes; 601 KAR 1:105.....	792
--	-----

Application, certificate; filing; 601 KAR 1:045.....	785
--	-----

Charter bus; 601 KAR 1:120.....	794
---------------------------------	-----

Claims; 601 KAR 1:075.....	788
----------------------------	-----

Commodities exempted; 601 KAR 1:090.....	791
--	-----

Complaints; 601 KAR 1:095.....	791
--------------------------------	-----

Definitions; 601 KAR 1:035.....	783
---------------------------------	-----

Hearings; 601 KAR 1:030.....	782
------------------------------	-----

Household goods; 601 KAR 1:080.....	789
-------------------------------------	-----

	Page		Page
Industrial materials permit; 601 KAR 1:020, 601 KAR 1:020E.....	2, 14	Meetings; 201 KAR 1:015.....	1009
Insurance; 601 KAR 1:100.....	791	Members of board; 201 KAR 1:020.....	1009
Leasing services; 601 KAR 1:110.....	793	Non-resident, practice by; 201 KAR 1:090.....	1012
Notice; 601 KAR 1:070.....	787	Partnerships	
Operating application; 601 KAR 1:040.....	784	Name, use of; 201 KAR 1:080.....	1012
Rates and fares; 601 KAR 1:050.....	785	Registration of; 201 KAR 1:075.....	1012
Registration; 601 KAR 9:010.....	795	Quorum; 201 KAR 1:025.....	1009
Reports, annual; 601 KAR 1:085.....	790	Reinstatement; 201 KAR 1:070.....	1012
Safety regulations; 601 KAR 1:005.....	1037	Repeal, general; 201 KAR 1:005.....	1009
Size limitations; 601 KAR 1:010.....	14	Titles, confusing; 201 KAR 1:085.....	1012
Tariffs; 601 KAR 1:060.....	786	Auctioneers	
Taxicabs; 601 KAR 1:115.....	793	Accounting of funds by; 201 KAR 3:050.....	32
Time schedules; 601 KAR 1:065.....	787	Apprenticeship requirements for principal examination;	
		201 KAR 3:010.....	32
		Non-cancellation of license during active military duty;	
		201 KAR 3:040.....	32
		Reciprocity with Indiana residents; 201 KAR 3:030.....	32
		Residence requirements for apprentices; 201 KAR 3:020.....	32
		Sale of real estate at auction; 201 KAR 3:060.....	32
		Barbering, Board of	
		Administrator's duties; 201 KAR 14:010.....	723
		Advertising, school; 201 KAR 14:100.....	728
		Advertising, shop; 201 KAR 14:080.....	726
		Apprentice examination; retaking; 201 KAR 14:015.....	723
		Apprentice license; qualifications;	
		201 KAR 14:050.....	725
		Apprentices, number per shop; 201 KAR 14:080.....	726
		Demonstration permit; 201 KAR 14:025.....	724
		Examinations; school board; 201 KAR 14:115.....	729
		High school transcript; GED; 201 KAR 14:120.....	729
		License, five-year expiration; 201 KAR 14:030.....	724
		License, permanent after apprenticeship;	
		201 KAR 14:055.....	725
		License, school; 201 KAR 14:140.....	730
		License, shop; 201 KAR 14:070.....	725
		Licensing qualified non-residents; 201 KAR 14:060.....	725
		Locations, new, notification of; 201 KAR 14:045.....	724
		Place of business requirements; 201 KAR 14:065.....	725
		Procedure before board; 201 KAR 14:015.....	723
		Sanitation requirements; 201 KAR 14:085.....	726
		Sanitation, school; 201 KAR 14:155.....	731
		School accredited; 201 KAR 14:095.....	728
		School attendance, hours; 201 KAR 14:135.....	730
		School curriculum; 201 KAR 14:090.....	726
		School equipment, plant layout; 201 KAR 14:110.....	728
		School fees for services; 201 KAR 14:130.....	730
		School, new locations; 201 KAR 14:145.....	730
		School records; 201 KAR 14:150.....	731
		Shops, schools; inspection of; 201 KAR 14:040.....	724
		Shops, schools; public identification;	
		201 KAR 14:035.....	724
		Student application, medical certificate;	
		201 KAR 14:105.....	728
		Student regulations; 201 KAR 14:160.....	731
		Students, number per instructor; 201 KAR 14:165.....	732
		Teachers, instructors; requirements;	
		201 KAR 14:125.....	730
		Business Schools	
		Authority after licensure; 201 KAR 4:030.....	240
		Bonding requirements; 201 KAR 4:020.....	240
		Inspection; requirements; 201 KAR 4:040.....	240
		Refund policy requirements; 201 KAR 4:060.....	240
		Dentistry	
		Applicant; requirements; 201 KAR 8:180.....	339
		Application prior to graduation; 201 KAR 8:170.....	339
		Auxiliary personnel; 201 KAR 8:135.....	337
		Business, order of; 201 KAR 8:090.....	336
		Clinical examination; 201 KAR 8:220.....	340
		Clinical demonstration; 201 KAR 8:240.....	340
		County registration; hygienists; 201 KAR 8:300.....	342
		Dental hygiene; application; 201 KAR 8:260.....	340
		Duplicate license certificate; 201 KAR 8:250.....	340
		Duplicate license; hygienists; 201 KAR 8:310.....	340
		Education, continuing; 201 KAR 8:140;	
		201 KAR 8:140E.....	447, 338
		Education requirement; specialties; 201 KAR 8:345.....	344
		Examination, application; 201 KAR 8:150.....	338
		Examination committee; 201 KAR 8:190.....	339
		Examination, qualifications; 201 KAR 8:160.....	339
		Examination questions, release of; 201 KAR 8:200.....	340
		Examination questions; review, approval; 201 KAR 8:210.....	340
		Grade requirement; dental hygiene; 201 KAR 8:270.....	342
		Grade requirements; written and clinical;	
		201 KAR 8:185; 201 KAR 8:277.....	
		Hygienists' official register; 201 KAR 8:290.....	342
		Hygienists' re-examination; 201 KAR 8:280.....	342
		Interim administration; 201 KAR 8:100.....	336
		Licensure, special; 201 KAR 8:120.....	336
		Meeting, annual; 201 KAR 8:080.....	336
		Notice of place of employment; hygienists;	
		201 KAR 8:320.....	342
		Oath of office; 201 KAR 8:010.....	334
		Organization; officers; 201 KAR 8:020.....	335
		President, duties; 201 KAR 8:030.....	335
		Register; specialists; 201 KAR 8:355.....	344
		Repayment contract; scholarship; 201 KAR 8:380.....	344
		Retirement, reinstatement; hygienists; 201 KAR 8:330.....	342
		Re-examination; when; 201 KAR 8:230.....	340
		Rules of order; 201 KAR 8:060.....	335
		Rules and regulations, amendments to; 201 KAR 8:110.....	336
		Salaries; office location; 201 KAR 8:050.....	335
		Secretary-treasurer, duties; 201 KAR 8:040.....	335
		Scholarship; administration; 201 KAR 8:375.....	344
MOTOR VEHICLE DEALERS			
Application; disposition; 601 KAR 20:030.....	245		
Board meetings; 601 KAR 20:010.....	245		
Dealer; 601 KAR 20:110.....	246		
Dealer, used cars; trade names; 601 KAR 20:130.....	247		
Licenses, issuance, denial; 601 KAR 20:040.....	245		
Licenses, supplemental; 601 KAR 20:050.....	246		
Location, change of; 601 KAR 20:080.....	246		
Multi-businesses; 601 KAR 20:070.....	246		
Ownership, change of; 601 KAR 20:090.....	246		
Premises; 601 KAR 20:070.....	246		
Salesman; 601 KAR 20:110.....	246		
Signs; 601 KAR 20:070.....	246		
MOTOR VEHICLE INSPECTION			
Exemptions; 601 KAR 10:070.....	244		
Extension of time; 601 KAR 10:060.....	244		
Fleet permits; 601 KAR 10:080.....	245		
Inspection at registration; annually; 601 KAR 10:050.....	244		
Permits and signs; display; 601 KAR 10:040.....	244		
Reports; 601 KAR 10:030.....	244		
Safety inspectors; mechanics; 601 KAR 10:020.....	243		
Station permits; 601 KAR 10:010.....	243		
MOTOR VEHICLE TAX			
(See Vehicle Regulation and Revenue and Taxation)			
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION			
Air pollution; 401 KAR 3:010 to 401 KAR 3:070.....	601-625		
Conservation districts; amended; 402 KAR 2:010;			
402 KAR 2:020.....	13, 14, 694		
Plumbing; 401 KAR 1:010 to 401 KAR 1:150.....	10, 476-489, 756		
Reclamation; 402 KAR 1:010 to 402 KAR 1:060.....	773-778		
Sanitary engineering; 401 KAR 6:010 to			
401 KAR 6:040.....	763-771		
Solid Waste; 401 KAR 2:010.....	757		
Water Quality; 401 KAR 5:005 to 401 KAR 5:045.....	760-763		
Water Resources; 401 KAR 4:010 to			
401 KAR 4:040.....	11, 448, 759		
NO-FAULT INSURANCE			
(See Insurance; Motor Vehicle Reparations)			
DRIVER TRAINING			
(See: State Police)			
NURSING HOME ADMINISTRATORS			
Licensure; 201 KAR 6:010.....	61		
OCCUPATIONAL SAFETY AND HEALTH			
29 CFR, Part 1910, adoption of; amended; 803 KAR 2:020;			
803 KAR 2:020E.....	38, 699, 691		
29 CFR, Part 1926, adoption of; 803 KAR 2:030;			
amended; 803 KAR 2:030E.....	89, 214, 760, 692		
Board procedures; 803 KAR 2:010.....	833		
Carcinogens, registering of; 803 KAR 2:160.....	163		
Citations; 803 KAR 2:120.....	161		
Citations; posting of; 803 KAR 2:125.....	162		
Complaint, time for filing; 803 KAR 2:150.....	162		
Conferences, informal; 803 KAR 2:130.....	162		
Contests, employer and employee; 803 KAR 2:140.....	162		
Danger, imminent; 803 KAR 2:100.....	160		
Definitions; 803 KAR 2:040.....	158		
Employers' responsibilities; 803 KAR 2:060.....	158		
Inspections, advance notice of; 803 KAR 2:080.....	159		
Inspections; procedure; 803 KAR 2:070.....	159		
Inspections unwarranted; 803 KAR 2:090.....	160		
Penalties; 803 KAR 2:115.....	161		
Recordkeeping; statistics; 803 KAR 2:180.....	835		
Representatives for employer, employee; 803 KAR 2:110.....	161		
Scope; 803 KAR 2:050.....	158		
Trade secrets; 803 KAR 2:095.....	160		
Variances; 803 KAR 2:170.....	163		
OCCUPATIONS AND PROFESSIONS			
Accountancy			
Board; 201 KAR 1:010.....	1009		
Certificate			
Application; 201 KAR 1:050.....	1010		
Granting; 201 KAR 1:060.....	1011		
Waiver of examination for; 201 KAR 1:055.....	1011		
Ethics, code of; 201 KAR 1:095.....	1013		
Employees; 201 KAR 1:030.....	1009		
Examination			
Application for; 201 KAR 1:035.....	1009		
Notice, procedure; 201 KAR 1:040.....	1010		
Subjects; grading; 201 KAR 1:045.....	1010		
Fees, annual; 201 KAR 1:065.....	1011		

Page	Page
Scholarship contract form; 201 KAR 8:385.....344	Real Estate Brokers
Specialty application, examination; amended; 201 KAR 8:340.....343, 586	Advertising, broker's name on; 201 KAR 11:060.....596
Specialty grade requirement; 201 KAR 8:350.....344	Auction obligations; 201 KAR 11:115.....598
Vacancies, how filled; 201 KAR 8:070.....336	Branch offices; 201 KAR 11:070.....597
Vice-president, duties; 201 KAR 8:035.....335	Broker licensing of salesman; 201 KAR 11:135.....599
X-rays, by assistants; 201 KAR 8:130.....337	Broker-salesman, defined; 201 KAR 11:120.....598
Embalmers and Funeral Directors	Broker's interest disclosure; 201 KAR 11:075.....597
Application for examination; 201 KAR 15:030.....1013	Broker's requirements, not regularly in business; 201 KAR 11:080.....597
Apprenticeship; 201 KAR 15:050.....1014	Broker's sign; 201 KAR 11:055.....596
Definitions; 201 KAR 15:010.....1013	Builder, defined; 201 KAR 11:150.....599
Examination; 201 KAR 15:040.....1013	Builder-developer; rule compliance by; 201 KAR 11:155.....599
Expired license, reinstatement; 201 KAR 15:070.....1014	Classroom instruction required; 201 KAR 11:010.....595
License renewal; 201 KAR 15:060.....1014	Closing statements; 201 KAR 11:095.....597
Rules and regulations, amendments; 201 KAR 15:020.....1013	Complaints, resolving; 201 KAR 11:130.....598
Violations; 201 KAR 15:080.....1014	Conduct when managing property; 201 KAR 11:085.....597
Engineers and Land Surveyors	Contracts to contain financing provisions; 201 KAR 11:040.....596
Adjudication; 201 KAR 18:130.....1020	Exclusive authority, retention of; 201 KAR 11:110.....598
Applicants, classes of; 201 KAR 18:010.....1018	Exclusive listing contract, continuation; 201 KAR 11:100.....598
Application forms; 201 KAR 18:020.....1018	Financing provisions, contracts to contain; 201 KAR 11:040.....596
Certificate, reissuance; 201 KAR 18:120.....1020	Hearings; 201 KAR 11:160.....599
Certificates, cards; 201 KAR 18:080.....1020	Instruction, salesman to complete; 201 KAR 11:125.....598
Engineering, branches of; 201 KAR 18:050.....1019	Instruments, disposition; 201 KAR 11:090.....597
Examinations; 201 KAR 18:070.....1019	License application; 201 KAR 11:005.....595
Fees; 201 KAR 18:040.....1019	License cancellation, reasons; 201 KAR 11:030.....595
In-training certificates; 201 KAR 18:030.....1019	Licensees, complaints against; 201 KAR 11:035.....596
License renewal; 201 KAR 18:110.....1020	Military duty, renewal after; 201 KAR 11:025.....595
Rejections; 201 KAR 18:060.....1019	Net listing requirements; 201 KAR 11:050.....596
Seals; 201 KAR 18:100.....1020	Owner's consent, authorization; 201 KAR 11:105.....598
Serial numbers; 201 KAR 18:090.....1020	Reciprocal agreement, fee not reduced; 201 KAR 11:020.....595
Hairdressers and Cosmetologists	Re-examination after failure; 201 KAR 11:015.....595
Administrator's duties; 201 KAR 12:010.....720	Rental management agreements; 201 KAR 11:095.....597
Apprentice ratio to operators; 201 KAR 12:040.....720	Salesman as broker, when; 201 KAR 11:140.....599
Examination; 201 KAR 12:020.....720	Salesman, terminating employment; 201 KAR 11:145.....599
Identification; shop, school; 201 KAR 12:080.....721	Trust, agency accounts, required; 201 KAR 11:065.....597
Inspection; 201 KAR 12:060.....721	Written offers, submission of; 201 KAR 11:045.....596
License required; 201 KAR 12:030.....720	Speech Pathology and Audiology
Reciprocity for valid licensee; 201 KAR 12:050.....599	Aides
Hearing Aid Dealers	Audiology; 201 KAR 17:060.....1018
Board, annual meeting; 201 KAR 7:052.....241	Speech pathology; 201 KAR 17:050.....1017
Examination after training requirement; 201 KAR 7:125.....241	Ethics, code of; 201 KAR 17:040.....1017
Training requirement, completion; certification; 201 KAR 7:122.....241	License
Landscape Architects	Application; 201 KAR 17:010.....1016
Applications; 201 KAR 10:040.....594	Fees; 201 KAR 17:030.....1017
Board duties; 201 KAR 10:010.....592	Without examination; 201 KAR 17:020.....1016
Ethics, code of; 201 KAR 10:030.....593	Veterinary Examiners
Fees; 201 KAR 10:050.....594	Conduct, code of; 201 KAR 16:010.....1014
Hearings; 201 KAR 10:020.....593	Examination; reciprocity; fees; 201 KAR 16:020.....1015
Renewals; 201 KAR 10:060.....594	License, renewal notice; 201 KAR 16:030.....1016
Seals; 201 KAR 10:070.....594	
Medical Licensure, Board of	
Approved schools; 201 KAR 9:020.....470	
Conduct, code of; 201 KAR 9:010.....470	
Hearing procedures; 201 KAR 9:080.....473	
Examinations; 201 KAR 9:030.....472	
License, examination for; 201 KAR 9:030.....472	
License fees; 201 KAR 9:040.....472	
License renewal; registration; 201 KAR 9:050.....472	
Licenses, limited; 201 KAR 9:060.....472	
Licensing qualifications; 201 KAR 9:020.....470	
Permits; temporary, emergency; 201 KAR 9:070.....473	
Physio-therapeutics, practice of; 201 KAR 9:090.....474	
Probation; 201 KAR 9:080.....473	
Qualifications for licensing; 201 KAR 9:020.....470	
Revocation; 201 KAR 9:080.....473	
Schools approved; 201 KAR 9:020.....470	
Suspension; 201 KAR 9:080.....473	
Nursing Home Administrators	
Licensure; 201 KAR 6:010.....61	
Ophthalmic Dispensers	
Apprentices; 201 KAR 13:050.....722	
Board; powers, duties, meetings; 201 KAR 13:010.....721	
Dispensing defined; 201 KAR 13:020.....721	
Contact lens fitting; 201 KAR 13:030.....722	
Licensing; application, examination; 201 KAR 13:040.....722	
Military service; 201 KAR 13:060.....723	
Permit, temporary; 201 KAR 13:040.....722	
Reciprocity; 201 KAR 13:060.....723	
Revocation of license; 201 KAR 13:070.....723	
Optometric Examiners	
Annual courses of study; 201 KAR 5:030.....61	
Branch offices; 201 KAR 5:050.....719	
Conduct; 201 KAR 5:040.....719	
Examination, application for; 201 KAR 5:010.....718	
Pharmacy	
Dispensing responsibilities; 201 KAR 2:095.....718	
Examinations; 201 KAR 2:020.....9	
Fees for licenses and permits; 201 KAR 2:050.....10	
Intermediary services restricted; 201 KAR 2:070.....10	
Interns, registration of; 201 KAR 2:040.....9	
License renewal; 201 KAR 2:055.....147	
Pocket certificate; 201 KAR 2:060.....10	
Prescription equipment; 201 KAR 2:090.....147	
Prescription substitution; 201 KAR 2:080.....147	
Reciprocity; 201 KAR 2:030.....147	
Reference material; 201 KAR 2:090.....147	
Revival fee; 201 KAR 2:055.....147	
Security, control; drugs, prescriptions; 201 KAR 2:100.....718	
Schools, approved; 201 KAR 2:010.....9	
Temporary license; 201 KAR 2:030.....147	
	OIL AND GAS MINING
	Gas storage reservoir, drilling in vicinity of; 805 KAR 1:080.....1071
	Plugging wells
	Coal-bearing strata; 805 KAR 1:070.....1070
	Non coal-bearing strata; 805 KAR 1:060.....1069
	Surety bonds; requirements, cancellation; 805 KAR 1:050.....633
	Vacuum, use of; 805 KAR 1:040.....633
	Well location plat, preparation, form and contents; 805 KAR 1:030.....89
	OPHTHALMIC DISPENSERS
	Apprentices; 201 KAR 13:050.....722
	Board; powers, duties, meetings; 201 KAR 13:010.....721
	Dispensing defined; 201 KAR 13:020.....721
	Contact lens fitting; 201 KAR 13:030.....722
	Licensing; application, examination; 201 KAR 13:040.....722
	Military service; 201 KAR 13:060.....723
	Permit, temporary; 201 KAR 13:040.....722
	Reciprocity; 201 KAR 13:060.....723
	Revocation of license; 201 KAR 13:070.....723
	OPHTHOMETRIC EXAMINERS
	Annual courses of study required; 201 KAR 5:030.....61
	Branch offices; 201 KAR 5:050.....719
	Conduct; 201 KAR 5:040.....719
	Examination, application for; 201 KAR 5:010.....718
	License renewal, study required for; 201 KAR 5:030.....61
	PACKAGING AND LABELING
	(See Agriculture, Weights and Measures)
	PARKS
	Accounting procedures; 304 KAR 1:010.....755
	Campgrounds; 304 KAR 1:040.....756
	Commercial activities; 304 KAR 1:030.....756
	Swimming restricted; 304 KAR 1:020.....756
	PERSONNEL
	Rules
	Annual leave; 101 KAR 1:140.....133
	Appeals; 101 KAR 1:130.....131
	Applications; 101 KAR 1:060.....126
	Appointments, types of; 101 KAR 1:090.....129
	Attendance; 101 KAR 1:140.....133
	Board procedures; 101 KAR 1:030.....123
	Certification and selection of eligibles; 101 KAR 1:080.....128
	Classification plan; 101 KAR 1:040.....124
	Compensation plan; 101 KAR 1:050; amended;.....124, 208, 693

	Page
Compensatory leave; 101 KAR 1:140.....	133
Court leave; 101 KAR 1:140; amended;.....	133, 209
Definitions; 101 KAR 1:010.....	123
Demotion; 101 KAR 1:110.....	130
Disciplinary actions; 101 KAR 1:120.....	131
Examinations; 101 KAR 1:060.....	126
General provisions; 101 KAR 1:020.....	123
Hours of work; 101 KAR 1:140.....	133
Military leave; 101 KAR 1:140.....	133
Probationary period; 101 KAR 1:100.....	130
Promotion; 101 KAR 1:110.....	130
Registers; 101 KAR 1:070.....	127
Retirement; 101 KAR 1:140.....	133
Separations; 101 KAR 1:120.....	131
Service; 101 KAR 1:140.....	133
Sick leave; 101 KAR 1:140.....	133
Special duty, detail to; 101 KAR 1:110.....	130
Transfer; 101 KAR 1:110.....	130
Voting leave; 101 KAR 1:140.....	133
Unclassified service rules; 101 KAR 1:200.....	326

PET FOOD

Additives; 12 KAR 3:037.....	1003
Definitions, terms; 12 KAR 3:007.....	1001
Guarantees; 12 KAR 3:022.....	1002
Ingredients; 12 KAR 3:027.....	1003
Labeling, uniform; 12 KAR 3:012.....	1001
Names; brand, product; 12 KAR 3:017.....	1002
Use directions; 12 KAR 3:032.....	1003

PHARMACY

Dispensing responsibilities; 201 KAR 2:095.....	718
Examinations; 201 KAR 2:020.....	9
Fees for licenses and permits; 201 KAR 2:050.....	10
Intermediary services restricted; 201 KAR 2:070.....	10
Interns, registration of; 201 KAR 2:040.....	9
License renewal; 201 KAR 2:055.....	147
Pocket certificate; 201 KAR 2:060.....	10
Prescription equipment; 201 KAR 2:090.....	147
Prescription substitution; 201 KAR 2:080.....	147
Reciprocity; 201 KAR 2:030.....	147
Reference materials; 201 KAR 2:090.....	147
Revival fee; 201 KAR 2:055.....	147
Security, control; drugs, prescriptions; 201 KAR 2:100.....	718
Schools approved by; 201 KAR 2:010.....	9
Temporary license; 201 KAR 2:030.....	147

PLUMBING CODE

Buildings; public; 401 KAR 1:150.....	489
Connections, special; 401 KAR 1:140.....	488
Definitions; 401 KAR 1:010.....	476
Fixtures; 401 KAR 1:040.....	480
House sewers; 401 KAR 1:100.....	485
Inspection, tests; 401 KAR 1:110.....	487
Installation permits; 401 KAR 1:020.....	10
Joints, connections; 401 KAR 1:070.....	483
License application; examination; 401 KAR 1:015.....	756
Materials; quality, weight; 401 KAR 1:030.....	479
Mobile home parks; waste systems; connections; 401 KAR 1:130.....	488
Public buildings; 401 KAR 1:150.....	489
Septic systems; private, commercial; 401 KAR 1:120.....	488
Soil, waste, vent systems; 401 KAR 1:060.....	481
Storm water piping; 401 KAR 1:100.....	485
Traps, cleanouts; 401 KAR 1:080.....	484
Waste pipe size; 401 KAR 1:050.....	481
Water supply, distribution; 401 KAR 1:090.....	485

PROBATION AND PAROLE

Corrections	
Parole eligibility, time served for; 501 KAR 1:010.....	348

PUBLIC ASSISTANCE

Aid to Families With Dependent Children (AFDC)	
Need and amount standards; 904 KAR 2:010.....	423

PUBLIC PROTECTION AND REGULATION

Alcoholic Beverage Control	
Administrators, Local	
City; 804 KAR 10:020.....	847
County; 804 KAR 10:010.....	846
Advertising Distilled Spirits and Wine	
Brands, prohibition on promotion; 804 KAR 1:050.....	51
Novelties and specialties; 804 KAR 1:040.....	51
Prohibited advertising; 804 KAR 1:080.....	840
Prohibited statements; 804 KAR 1:030.....	51
Samples; 804 KAR 1:070.....	840
Signs, inside; 804 KAR 1:010.....	50
Signs, outside, 1st and 2nd class cities; 304 KAR 1:020.....	50
Solicitation; 804 KAR 1:060.....	52
Advertising Malt Beverages	
Novelties and specialties; 804 KAR 2:025.....	633
Outside signs; 1st, 2nd class cities; 804 KAR 2:005.....	632
Prohibited statements; 804 KAR 2:015.....	632
Alcohol Beverage Control Board	
Procedures; 804 KAR 6:010.....	842
Conduct of Business	
Entertainment requirements; 804 KAR 5:060.....	842
Gambling stamps; 804 KAR 5:050.....	842
Minors, defined; 804 KAR 5:040.....	842
Personnel prohibitions; 804 KAR 5:030.....	841
Solicitors; 804 KAR 5:010.....	841

	Page
Unemployables; 804 KAR 5:020.....	841
Distilled Spirits Container Size	
One-tenth gallon; 804 KAR 12:010.....	847
Fair Trade, Pricing and Sales	
Advertising, retail price; 804 KAR 3:070.....	167
Cash sales; 804 KAR 3:080.....	168
Close-out sales; 804 KAR 3:040.....	167
Distilled spirits, minimum case values; 804 KAR 3:010.....	52
Private clubs, associations, cash sales to; 804 KAR 3:090.....	840
Resale prices, minimum; 804 KAR 3:020; amended;.....	52, 325
Taxes included in retail price; 804 KAR 3:060.....	167
Transportation charges; 804 KAR 3:050.....	167
Wine, minimum wholesale price; 804 KAR 3:030.....	167
Licensing	
Beer storage; 804 KAR 4:130.....	357
Beer transporter; 804 KAR 4:160.....	357
Bottling house storage; 804 KAR 4:040.....	354
Citation request; 804 KAR 4:150.....	357
Distributors' storage; 804 KAR 4:140.....	357
Dormant license renewal; 804 KAR 4:110.....	356
Freight forwarder; 804 KAR 4:180.....	358
Industrial alcohol; 804 KAR 4:070.....	355
Information required; 804 KAR 4:010.....	353
Military reservations; 804 KAR 4:080.....	355
Miniature vendor; 804 KAR 4:060.....	355
Non-resident, special agent, solicitor; 804 KAR 4:020.....	354
Out-of-state brewers bond; 804 KAR 4:190.....	358
Records, retention; 804 KAR 4:100.....	356
Rectifying plants, bottling permitted; 804 KAR 4:050.....	355
Retail beer applications; 804 KAR 4:120.....	356
Stock transfer; 804 KAR 4:090.....	355
Through transporter; 804 KAR 4:170.....	358
Transport permit, non-resident licensee; 804 KAR 4:030.....	354
Warehouses; 804 KAR 4:200.....	358
Malt Beverage Equipment, Supplies and Services	
Container charge, deposit; 804 KAR 11:020.....	847
Equipment, supplies; 804 KAR 11:010.....	847
Quotas	
Beer distributor license; 804 KAR 9:030.....	846
Retail liquor license; 804 KAR 9:010.....	846
Wholesale liquor license; 804 KAR 9:020.....	846
Retail Premises	
License number, display of; 804 KAR 7:050.....	844
Location, 1st class cities; 804 KAR 7:010.....	843
Locked department; 804 KAR 7:030.....	844
Retail license; restaurant; 804 KAR 7:040.....	844
Stock, during license suspension; 804 KAR 7:020.....	844
Transportation of Alcoholic Beverages	
Boatlines' qualifications; 804 KAR 8:030.....	845
Common carrier; 804 KAR 8:010.....	845
Ineligibility; 804 KAR 8:060.....	846
License, transporters'; 804 KAR 8:020.....	845
Nearest depot, retail licensee; 804 KAR 8:040.....	845
Signs on vehicle; 804 KAR 8:050.....	845
Banking and Securities	
Administration	
Definitions; 808 KAR 1:010.....	835
Excess funds transactions; 808 KAR 1:020.....	835
Articles of incorporation, amendment; 808 KAR 1:030.....	835
Hearing procedures; 808 KAR 1:040.....	835
Records retention; 808 KAR 1:050.....	836
Cemeteries	
Merchandise trust fund; 808 KAR 2:025.....	836
Reports, annual; 808 KAR 2:015.....	836
Credit Unions	
Conduct, regulation; 808 KAR 3:010.....	836
Finance Charges	
Permitted charges; 808 KAR 4:015.....	837
Industrial Loans	
Advertising; 808 KAR 5:030.....	888
Records; retention, examination; 808 KAR 5:040.....	888
Solicitation conduct; 808 KAR 5:010.....	888
Securities	
Advisers' records; 808 KAR 10:110.....	1096
Amendments to statement; 808 KAR 10:130.....	1097
Application	
Abandoned; 808 KAR 10:060.....	1095
Withdrawal; 808 KAR 10:050.....	1094
Application, registration, reporting; 808 KAR 10:020.....	1092
Broker-dealer records; 808 KAR 10:100.....	1095
Conduct, defined; 808 KAR 10:040.....	1094
Employee's conduct; 808 KAR 10:030.....	1094
Guidelines; 808 KAR 10:080.....	1095
Net capital, broker-dealer; 808 KAR 10:010.....	1092
Registration files; 808 KAR 10:120.....	1097
Reports; 808 KAR 10:090.....	1095
Signature requirements; 808 KAR 10:070.....	1095
Statements to be current; 808 KAR 10:140.....	1097
Small Loans	
Advertising; 808 KAR 6:050 to 808 KAR 6:080.....	890
Business place, hours; 808 KAR 6:100.....	890
Definition of business; 808 KAR 6:010.....	889
Dual lending business; 808 KAR 6:005.....	888
Laws, knowledge of; 808 KAR 6:100.....	890
Monetary inducements; 808 KAR 6:125.....	891
Mortgaged property, sale of; 808 KAR 6:120.....	891

	Page		Page
Note reduced to judgment; 808 KAR 6:115.....	891	Unsatisfied judgments; 806 KAR 34:020.....	878
Power of attorney; 808 KAR 6:090.....	890	Credit Life and Credit Health Insurance	
Records required; 808 KAR 6:105.....	890	Claims; secondary beneficiary; 806 KAR 19:020.....	869
Reports, annual; 808 KAR 6:110.....	891	Debt, options, extinguishment of; 806 KAR 19:040.....	1084
Restrictions; 808 KAR 6:020.....	889	Health, dismemberment combined; 806 KAR 19:050.....	1084
Solicitation moratorium; 808 KAR 6:075.....	890	Joint lines; 806 KAR 19:060.....	1084
Harness Racing Commission; 811 KAR 1:005 to		Refunds; unearned premium; computation; 806	
811 KAR 1:195.....	1097-1125	KAR 19:030.....	870
Election Finance, Registry of		Transaction requirements; 806 KAR 19:010.....	1083
Campaign committees, report of; 801 KAR 1:020,		Domestic Stock and Mutual Insurers	
801 KAR 1:020E; statements of; 801 KAR 1:040		Control, change of; 806 KAR 24:020.....	1085
801 KAR 1:040E.....	3, 5, 7, 16	Information required; 806 KAR 24:010.....	1084
Campaign treasurer; 801 KAR 1:005.....	248	Health Insurance Contracts	
Candidates, report of; 801 KAR 1:030, 801 KAR		Other coverage disclosure; 806 KAR 17:020.....	1083
1:030E.....	3, 6, 16	Surgical schedule; 806 KAR 17:030.....	1083
Executive committees, report of; 801 KAR 1:010, 801		Unearned premium, refund of; 806 KAR 17:010.....	1083
KAR 1:010E.....	3, 4, 16	Health Maintenance Organizations	
Elevator Safety		Agent's license; 806 KAR 38:020.....	1090
Standards; elevators, dumbwaiters, escalators and		Certificate of authority information;	
moving walks; 803 KAR 4:010.....	50	806 KAR 38:010.....	1089
Insurance		Contract filing; 806 KAR 38:030.....	1090
Fire Marshal		Financial projections; area overlapping;	
Boilers; 806 KAR 50:151 to 806 KAR 50:175.....	359-368	806 KAR 38:040.....	1090
Boiler standards; 806 KAR 50:150.....	176	Fiscal soundness; 806 KAR 38:050.....	1091
Construction requirements, general; 806 KAR 50:010;		Insider Trading of Equity Securities	
amended;.....	90, 215	Proxies, consents, authorizations; 806 KAR 26:010.....	870
Construction requirements to accommodate physically		Trading requirements; 806 KAR 26:020.....	874
handicapped; 806 KAR 50:020; amended;.....	94, 222	Insurance Contract	
Fire department aid; 806 KAR 50:100.....	97	Additional benefits, policyholders; 806 KAR 14:050.....	867
Flammable liquids; self-service stations;		Binders; 806 KAR 14:020.....	866
806 KAR 50:080.....	96	Certificates; 806 KAR 14:100.....	1082
LP Gas license denial, revocation, suspension;		Dividend plans; 806 KAR 14:110.....	1082
806 KAR 50:050.....	95	Employer's insurable interest; 806 KAR 14:040.....	866
LP Gas license; financial responsibility;		Endorsement, auto; 806 KAR 14:070.....	1081
806 KAR 50:060.....	96	Group certificate filing; 806 KAR 14:060.....	867
LP Gas; standby usage; 806 KAR 50:070.....	96	Grouping restrictions; 806 KAR 14:090.....	1082
Mobile homes; 806 KAR 50:200; amended.....	97, 456	Municipal tax on policy; 806 KAR 14:080.....	1082
Recreational vehicles; 806 KAR 50:200.....	97, 456	Policy dividends, participating; 806 KAR 14:030.....	866
Insurance Code		Proof of loss; form; 806 KAR 14:010.....	366
Administration		Rate, form filing; 806 KAR 14:005.....	1081
Complaints; 806 KAR 2:050.....	855	Insurance Premium Finance Companies	
Hearings, public; 806 KAR 2:080.....	855	Account, receipt statement; 806 KAR 30:040.....	1086
Interests, rewards; prohibited; 806 KAR 2:020.....	854	Books, records, inspection of; 806 KAR 30:070.....	1087
Records, certificates, licenses; 806 KAR 2:040.....	854	Forms, approval; 806 KAR 30:060.....	1087
Records, preservation of; 806 KAR 2:070.....	855	License application; 806 KAR 30:010.....	1086
Regulations, copies of; 806 KAR 2:030.....	854	Licensee representations; 806 KAR 30:030.....	1086
Seal facsimile; 806 KAR 2:010.....	854	Minimum service charge abuse; 806 KAR 30:020.....	1086
Administration of Deposits		Prepayment, refinancing; 806 KAR 30:050.....	1087
Assets, valuation of; 806 KAR 8:010.....	1076	Investments	
Agents, Consultants, Solicitors and Adjusters		Domestic insurers' finance committee; 806 KAR	
Adjusters; examinations, licenses, restrictions;		7:030.....	859
806 KAR 9:030.....	860	Equipment trust obligation; 806 KAR 7:050.....	859
Adjusters, unlicensed; 806 KAR 9:120.....	852	Exchange-traded call options; 806 KAR 7:080.....	1075
Agents' associations, professional, membership in;		Housing developments; 806 KAR 7:060.....	1075
806 KAR 9:080.....	861	Obligations, method of amortization; 806 KAR	
Agents, adjusters, professional designations;		7:070.....	860
806 KAR 9:140.....	862	Person defined; 806 KAR 7:020.....	859
Agent's assumed business name; 806 KAR 9:130.....	862	Prohibited, loans to relatives; 806 KAR 7:010.....	1075
Agents, life, training program; 806 KAR 9:150.....	862	Kind of Insurance; Limits of Risk; Reinsurance	
Agents, officers as; 806 KAR 9:005.....	1076	Agreements, illegitimate use of; 806 KAR 5:020.....	1074
Agent's records; 806 KAR 9:050.....	861	Bail bonds; surety insurance to exclude; 806	
Consultants; 806 KAR 9:160.....	1076	KAR 5:030.....	857
Contract termination, agent's rights;		Nationwide Marine defined; 806 KAR 5:040.....	1074
806 KAR 9:110.....	862	Reinsurance treaties, contracts; 806 KAR 5:010.....	857
Examination re-take limits; 806 KAR 9:070.....	861	Life Insurance and Annuity Contracts	
Identification cards; 806 KAR 9:060.....	861	Variable annuity; 806 KAR 15:010.....	867
Interim license; 806 KAR 9:010.....	860	Wholesale life; contributions, dividends; 806	
Name, title; false, deceptive, prohibited;		KAR 15:020.....	869
806 KAR 9:020.....	860	Motor Vehicle Repairs (No-Fault)	
Solicitor fulltime, defined; 806 KAR 9:090.....	861	Governmental units excluded; 806 KAR 39:040.....	879
Termination statement; 806 KAR 9:100.....	862	Motor vehicle defined; 806 KAR 39:010.....	879
Variable annuity agent's examination exception;		Pedestrian defined; 806 KAR 39:020.....	879
806 KAR 9:040.....	861	Rejection form; 806 KAR 39:030.....	879
Assets and Liabilities		Self-insurance; 806 KAR 39:050.....	880
Assets, temporary transfer prohibited; 806		Rates and Rating Organizations	
KAR 6:020.....	858	Automobile fleet defined; 806 KAR 13:040.....	865
Dividends, reserves for; 806 KAR 6:040.....	859	Excess rates; consent form; 806 KAR 13:020.....	864
Investment letter stock; 806 KAR 6:030.....	859	Filing requirements; suspension, modification;	
Securities valuation reserve; 806 KAR 6:050.....	859	806 KAR 13:015.....	1080
Valuation standards, audits; 806 KAR 6:010.....	858	Groups defined; rate filings; 806 KAR 13:080.....	866
Authorization of Insurers and General Requirements		Kentucky Automobile Insurance Plan; 806 KAR	
Annual statements; 806 KAR 3:020.....	856	13:070.....	865
Annual statement forms; 806 KAR 3:070.....	856	Loss experience data filing; 806 KAR 13:060.....	865
Authorization; 806 KAR 3:110.....	857	Premium financing; 806 KAR 13:090.....	1081
Bona fide surplus; 806 KAR 3:050.....	856	Rate deviations; 806 KAR 13:030.....	865
Capital position, date of; 806 KAR 3:040.....	856	Rate filings, new; renewals, hearings; 806 KAR	
Deposits, foreign insurers; 806 KAR 3:090.....	856	13:010.....	864
Deposit substitute; reciprocity; 806 KAR 3:060.....	856	Rate information; charge; 803 KAR 13:050.....	865
Interstate, multiple location lines; 806		Rate revision filing procedure; 806 KAR 13:005.....	1080
KAR 3:100.....	857	Surplus Lines	
Investment proposal; 806 KAR 3:120.....	857	Bailies, filing of; 806 KAR 10:020.....	1076
Bail Bondsmen		Eligible insurers; 806 KAR 10:010.....	863
Bonding limitations; 806 KAR 34:030.....	878	Trade Practices and Frauds	
Collateral security; 806 KAR 34:070.....	1089	Advertising; 806 KAR 12:010.....	863
Definitions; 806 KAR 34:005.....	1088	Credit transaction insurance; 806 KAR 12:040.....	1079
Examination; 806 KAR 34:050.....	1088	Disclosure on replacements; 806 KAR 12:050.....	1079
Identification card; 806 KAR 34:010.....	878	Fair disclosure; 805 KAR 12:020.....	1077
Liability ratio; 806 KAR 34:040.....	878	Replacements; 806 KAR 12:030.....	1076
License, display of; 806 KAR 34:010.....	878	Labor	
Records		Kentucky Occupational Safety and Health Review Commission	
Kept in Kentucky; 806 KAR 34:065.....	1089	Hearings; procedures, disposition; 803 KAR 50:010.....	349
Maintained; 806 KAR 34:060.....	1089		
Residency requirements; 806 KAR 34:055.....	1088		

Occupational Safety and Health

Adoption of 29 CFR Part 1910; amended; 803 KAR 2:020; 803 KAR 2:020E.....	88, 699, 697
Adoption of 29 CFR Part 1926; 803 KAR 2:030; amended; 803 KAR 2:030E.....	89, 214, 700, 692
Board procedure; 803 KAR 2:010.....	833
Carcinogens, registering of; 803 KAR 2:160.....	163
Citations; 803 KAR 2:120.....	161
Citations; posting of; 803 KAR 2:125.....	162
Complaint, time for filing; 803 KAR 2:150.....	162
Conferences, informal; 803 KAR 2:130.....	162
Contests, employer and employee; 803 KAR 2:140.....	162
Danger, imminent; 803 KAR 2:100.....	160
Definitions; 803 KAR 2:040.....	158
Employers' responsibilities; 803 KAR 2:060.....	158
Inspections, advance notice of; 803 KAR 2:080.....	159
Inspections; procedure; 803 KAR 2:070.....	159
Inspections, unwarranted; complaint; 803 KAR 2:090.....	160
Penalties; 803 KAR 2:115.....	161
Recordkeeping; statistics; 803 KAR 2:180.....	835
Representatives for employer, employee; 803 KAR 2:110.....	161
Scope; 803 KAR 2:050.....	158
Trade secrets; 803 KAR 2:095.....	160
Variances; 803 KAR 2:170.....	163
Wages and Hours Standards	
Apprentices and trainees, employment of; 803 KAR 1:020.....	48
Apprenticeship programs, registration of; 803 KAR 1:010.....	47
Board, lodging, gratuities and other allowances; 803 KAR 1:080.....	153
Child labor; 803 KAR 1:100.....	157
Commissioner's determination, review of; amended; 803 KAR 1:040.....	49, 120
Contractors' records; 803 KAR 1:050.....	50
Contractors, subcontractors; 803 KAR 1:045.....	833
Employe-employer relationship; 803 KAR 1:005.....	249
Exclusions from overtime and minimum wage; 803 KAR 1:075.....	256
Executive, administrative, supervisory or professional employees-Salesmen; amended; 803 KAR 1:070.....	255, 586
Fringe benefits; 803 KAR 1:085.....	155
Handicapped, sheltered workshop, student employees; 803 KAR 1:090; amended;.....	156, 324, 455
Hours worked; 803 KAR 1:065.....	253
Overtime pay requirements; 803 KAR 1:060; amended;.....	251, 451
Prevailing wage determinations, hearings on; amended; 803 KAR 1:030.....	49, 119
Record-keeping requirements; 803 KAR 1:066.....	510
Mines and Minerals	
Diesel Equipment	
Underground coal mine usage; 805 KAR 2:010.....	168
Explosives and Blasting	
Blasting safety; 805 KAR 4:060.....	1074
Blasting standards; 805 KAR 4:020.....	1072
Instrumentation; 805 KAR 4:040.....	1073
Licensing blasters; 805 KAR 4:010.....	1072
Records; 805 KAR 4:050.....	1073
Seismograph measurements; 805 KAR 4:030.....	1073
Oil and Gas	
Gas storage reservoirs, drilling in vicinity of; 805 KAR 1:080.....	1071
Plugging wells	
Coal-bearing strata; 805 KAR 1:070.....	1070
Non coal-bearing strata; 805 KAR 1:060.....	1069
Surety bonds; requirements, cancellation; 805 KAR 1:050.....	633
Vacuum, use of; 805 KAR 1:040.....	633
Well location plat, preparation; 805 KAR 1:030.....	89
Surface Mining Safety Standards	
Augering; 805 KAR 3:120.....	854
Definitions; 805 KAR 3:010.....	847
Drilling for blasting; 805 KAR 3:060.....	851
Electricity; 805 KAR 3:090.....	852
Employee protection; 805 KAR 3:110.....	853
Equipment use, operation; 805 KAR 3:100.....	853
Explosives; 805 KAR 3:050.....	849
Fire prevention, control; 805 KAR 3:040.....	849
General standards; 805 KAR 3:020.....	848
Ground control; 805 KAR 3:030.....	848
Loading, hauling, blasting; 805 KAR 3:070.....	851
Travelways; 805 KAR 3:080.....	852
Public Service Commission	
Electric; 807 KAR 2:050.....	880
Electrical inspectors certification; 807 KAR 2:060.....	1091
Gas; amended; 807 KAR 2:025.....	260, 979
Gas service lines; 807 KAR 2:030.....	266
OSH, employees, work areas; 807 KAR 3:010.....	271
Rules of procedure; 807 KAR 1:010.....	179
Tariffs; 807 KAR 2:020.....	257
Utilities rules; electric, water, gas, telephone; amended; 807 KAR 2:010.....	183, 975
Water; 807 KAR 2:040.....	267
Racing Commission, State; 810 KAR 1:001 to 810 KAR 1:020.....	891-913
Tax Appeals	
Rules of practice and procedure; 802 KAR 1:010.....	47

PUBLIC RECORDS

Inspecting and copying; 200 KAR 1:010; 200 KAR 1:010E.....	31, 24
---	--------

PUBLIC SERVICE COMMISSION

Electric; 807 KAR 2:050.....	880
Electrical inspectors certification; 807 KAR 2:060.....	1091
Employees; work areas; OSH; 807 KAR 3:010.....	271
Gas; amended; 807 KAR 2:025.....	260, 979
Gas service lines; 807 KAR 2:030.....	266
Occupational safety and health; 807 KAR 3:010.....	271
Procedure, rules of; 807 KAR 1:010.....	179
Tariffs; 807 KAR 2:020.....	257
Utilities rules; electric, water, gas, telephone; amended; 807 KAR 2:010.....	183, 975
Water; 807 KAR 2:040.....	267

RACING COMMISSION, KENTUCKY

Thoroughbred Racing Rules	
Agents; 810 KAR 1:010.....	903
Associations; 810 KAR 1:006.....	898
Claiming races; 810 KAR 1:015.....	909
Commission; 810 KAR 1:002.....	892
Definitions; 810 KAR 1:001.....	891
Discipline, measures of; 810 KAR 1:019.....	913
Entries, etc.; 810 KAR 1:013.....	907
Hearings, reviews, appeals; 810 KAR 1:020.....	913
Horses; 810 KAR 1:012.....	906
Jockeys, apprentices; 810 KAR 1:009.....	902
Licensing; 810 KAR 1:003.....	893
Medication, testing; 810 KAR 1:018.....	912
Objections, complaints; 810 KAR 1:017.....	911
Officials; 810 KAR 1:005.....	896
Owners; 810 KAR 1:007.....	900
Race running; 810 KAR 1:016.....	910
Stewards; 810 KAR 1:004.....	895
Trainers; 810 KAR 1:008.....	901
Wagering, pari-mutuel; 810 KAR 1:011.....	904
Weights; 810 KAR 1:014.....	909

RADIATION OPERATORS' CERTIFICATION

(See: Health Services)

RADIOLOGY

Cabinet systems; 902 KAR 100:145.....	417
Classification, groups; 902 KAR 100:075.....	404
Concentrations; air and water; 902 KAR 100:025.....	388
Concentrations, exempt; 902 KAR 100:085.....	405
Definitions; 902 KAR 100:010.....	381
Dental; 902 KAR 100:130.....	415
Exemptions; 902 KAR 100:045.....	396
General applicability; 902 KAR 100:005.....	380
General requirements; 902 KAR 100:015.....	384
Industrial radiography; 902 KAR 100:100.....	408
Leak testing; 902 KAR 100:060.....	402
License limits; 902 KAR 100:090.....	406
Licenses, general; 902 KAR 100:050.....	397
Licenses, specific; 902 KAR 100:055.....	400
Licenses, specific; general provisions; 902 KAR 100:040.....	394
Notices, reports, instructions to employees; 902 KAR 100:165.....	420
Particle accelerator; 902 KAR 100:155.....	419
Plan review; 902 KAR 100:160.....	420
Posting, disposal; 902 KAR 100:030.....	391
Proceedings; 902 KAR 100:170.....	421
Quantities, exempt; 902 KAR 100:080.....	404
Reciprocal recognition; 902 KAR 100:065.....	403
Repeals; 902 KAR 100:001.....	380
Sealed sources; 902 KAR 100:095.....	407
Standards; 902 KAR 100:020.....	384
Therapy; 902 KAR 100:135.....	415
Transport; 902 KAR 100:035.....	392
Transportation, intrastate; 902 KAR 100:070.....	403
Veterinarians; 902 KAR 100:140.....	416
X-ray, diagnostic; 902 KAR 100:115.....	412
X-ray, fluoroscopic; 902 KAR 100:125.....	413
X-ray, general; 902 KAR 100:105.....	410
X-ray, microscopic analytical; 902 KAR 100:150.....	418
X-ray, registration; 902 KAR 100:110.....	411
X-ray, special; 902 KAR 100:120.....	412

REAL ESTATE COMMISSION

Advertising, broker's name on; 201 KAR 11:060.....	596
Auction obligations; 201 KAR 11:115.....	598
Branch offices; 201 KAR 11:070.....	597
Broker licensing of salesman; 201 KAR 11:135.....	599
Broker-salesman, defined; 201 KAR 11:120.....	598
Broker's interest disclosure; 201 KAR 11:075.....	597
Broker's requirements, not regularly in business; 201 KAR 11:080.....	597
Broker's sign; 201 KAR 11:055.....	596
Builder, defined; 201 KAR 11:150.....	599
Builder-developer; rule compliance by; 201 KAR 11:155.....	599
Classroom instruction required; 201 KAR 11:010.....	595
Closing statements; 201 KAR 11:095.....	597
Complaints, resolving; 201 KAR 11:130.....	598
Conduct when managing property; 201 KAR 11:085.....	597
Contracts to contain financing provisions; 201 KAR 11:040.....	596
Exclusive authority, retention of; 201 KAR 11:110.....	598
Exclusive listing contract, continuation; 201 KAR 11:100.....	598

	Page
Personal property, fiduciary's report;	
103 KAR 5:070.....	1004
Production credit associations' reports;	
103 KAR 5:080.....	1005
Property valuation administrator's bond;	
103 KAR 5:050.....	1004
Savings and loan associations' reports;	
103 KAR 5:080.....	1005
Sheriff's cash book; 103 KAR 5:120.....	1006
Local Assessment	
Annuities, intangible property rights;	
103 KAR 7:040.....	1006
County assessment, city adoption of;	
103 KAR 7:030.....	1006
Intangible property, trusts as; 103 KAR 7:050.....	1006
Safe deposit boxes, opening of; 103 KAR 7:010.....	1006
State Assessment	
Abandoned property, escheating; 103 KAR 8:040.....	1007
Abandoned property lists, notice; 103 KAR 8:070.....	1008
Escheated property, records; 103 KAR 8:050.....	1007
Pari-mutuel tickets, unclaimed; records,	
redemption; 103 KAR 8:060.....	1008
Public service corporations, classification of	
property; 103 KAR 8:090.....	1008
Tax bills, preparation of; 103 KAR 8:030.....	1007
Time extension, property tax; 103 KAR 8:020.....	1007
Watercraft, non-resident; 103 KAR 8:010.....	1007
Appeals Board	
Rules of practice and procedure; 302 KAR 1:010.....	47
Excise Tax	
Alcoholic Beverages	
Consumer rates; 103 KAR 40:090.....	332
Consumer tax; customs; 103 KAR 40:100.....	709
Malt beverages; 103 KAR 40:030.....	332
Records, maintaining; 103 KAR 40:010.....	709
Transportation; 103 KAR 40:050.....	709
Cigarettes	
Diversified operators; 103 KAR 41:060.....	710
Indicia, elimination of; 103 KAR 41:130.....	333
Payment, evidence of; 103 KAR 41:090.....	711
Records, retention of; 103 KAR 41:120.....	333
Samples; 103 KAR 41:110.....	333
Segregation; 103 KAR 41:100.....	333
Subjobbers; 103 KAR 41:040.....	710
Tax-free; 103 KAR 41:020.....	710
Transportation; 103 KAR 41:050.....	710
Unclassified acquirers; 103 KAR 41:040.....	710
Vending machine operators; 103 KAR 41:040.....	710
Wholesalers; resident, nonresident; 103 KAR 41:030.....	333
Motor Fuels	
Assignment; 103 KAR 43:080.....	334
Cancellation; 103 KAR 43:140.....	713
Determination; 103 KAR 43:150.....	713
Display; 103 KAR 43:200.....	334
Farm tractors defined; 103 KAR 43:100.....	712
Floor loss; 103 KAR 43:010.....	711
Gasoline defined; 103 KAR 43:060.....	712
Identification; 103 KAR 43:130.....	713
Location approval; 103 KAR 43:170.....	714
Measurement; 103 KAR 43:050.....	712
Peddlers; 103 KAR 43:160.....	714
Prohibited uses; 103 KAR 43:120.....	713
Received gasoline; 103 KAR 43:030.....	711
Refund; 103 KAR 43:090.....	334
Refund gas use; 103 KAR 43:110.....	712
Sales to U.S. Gov't.; 103 KAR 43:070.....	712
Storage; 103 KAR 43:210.....	334
Tax refunds; 103 KAR 43:230.....	714
Transporters' report; 103 KAR 43:020.....	711
Motor Vehicle Usage	
Payment, monthly; 103 KAR 44:020.....	715
Usage tax; 103 KAR 44:010.....	715
General Administration	
Appeals; 103 KAR 1:010; amended;.....	137, 324
Protests; 103 KAR 1:010; amended;.....	137, 324
Income Tax	
Corporations	
Airlines; 103 KAR 16:120.....	224
Application of regulations; 103 KAR 16:050.....	138
Bus lines; 103 KAR 16:120.....	224
Coal royalty; taxable income; 103 KAR 16:010.....	138
Construction companies; 103 KAR 16:160.....	225
Corporation; dissolution, withdrawal; 103 KAR 16:040.....	701
Deductions; net operating loss; 103 KAR 16:030.....	138
DISC; 103 KAR 16:140.....	701
Income classifications; 103 KAR 16:060.....	138
Loan companies; 103 KAR 16:150.....	225
Payroll factor, apportionment; 103 KAR 16:090.....	143
Pipeline companies; 103 KAR 16:110.....	224
Property factor, apportionment; 103 KAR 16:080.....	141
Railroad companies; 103 KAR 16:130.....	224
Sales factor, apportionment; 103 KAR 16:070.....	140
Subchapter S; 103 KAR 16:140.....	701
Telegraph companies; 103 KAR 16:100.....	224
Telephone companies; 103 KAR 16:100.....	224
Trucklines; 103 KAR 16:120.....	224
General Administration	
Bonds, government, sale of; 103 KAR 15:030.....	701
Dates, extensions, for filing; 103 KAR 15:050.....	328
Declarations, amended; 103 KAR 15:060.....	328
Estimated tax; 103 KAR 15:060.....	328
Extensions; 103 KAR 15:050.....	328
Short years; 103 KAR 15:060.....	328

	Page
Statute of limitations; 103 KAR 15:040.....	327
Individual	
Combined returns; 103 KAR 17:020.....	225
Federal deductions and returns; 103 KAR 17:090.....	227
Filing extension; military personnel; 103 KAR 17:040.....	226
Filing requirements; 103 KAR 17:030.....	226
Income; portions; subject to taxation; 103 KAR 17:060.....	329
Personal tax credits; 103 KAR 17:070.....	226
Residence; 103 KAR 17:010.....	328
Retirement income; 103 KAR 17:080.....	227
Standard deduction; 103 KAR 17:050.....	226
Miscellaneous	
Estates and trusts; computation of income; 103 KAR 19:010.....	332
Returns; information; 103 KAR 19:030.....	332
Withholding	
Adjustment; correction; 103 KAR 18:020.....	227
Annual payment; 103 KAR 18:040.....	329
Bond, compliance; 103 KAR 18:120.....	331
Exemption certificates; 103 KAR 18:100.....	331
Forms, statements; 103 KAR 18:050.....	329
Methods; 103 KAR 18:110.....	331
Miscellaneous pay period; 103 KAR 18:060.....	330
Monthly reporting requirements; 103 KAR 18:030.....	228
Payroll records; 103 KAR 18:090.....	330
Requirement to withhold; 103 KAR 18:010.....	329
Supplemental wages; 103 KAR 18:070.....	330
Two or more employees; 103 KAR 18:080.....	330
Sales and Use Tax	
Administration and Accounting	
Accounting methods; 103 KAR 31:010.....	708
Cash discounts; 103 KAR 31:060.....	233
Coupons; 103 KAR 31:080.....	470
Damaged goods; 103 KAR 31:070.....	233
Demonstration and display; 103 KAR 31:100.....	234
Direct pay authorization; 103 KAR 31:030.....	470
Exemption certificates; 103 KAR 31:120.....	234
Goods damaged in transit; 103 KAR 31:070.....	233
Interest, penalties; 103 KAR 31:140.....	708
Merchandise returned; 103 KAR 31:050.....	233
Records; 103 KAR 31:020.....	232
Redemption certificates; 103 KAR 31:080.....	470
Repossessions; bad debts; 103 KAR 31:040.....	233
Resale certificates; 103 KAR 31:110.....	146
Successor's liability; 103 KAR 31:150.....	234
Tax-paid purchases resold; 103 KAR 31:090.....	233
General Exemptions	
Articles taken in trade; 103 KAR 30:060; amended;.....	146, 324
Artificial insemination of livestock; amended; 103 KAR 30:100.....	232, 971
Commerce; interstate, foreign; 103 KAR 30:190.....	707
Containers, wrappings, etc.; 103 KAR 30:170.....	706
Delivery charges; 103 KAR 30:070.....	231
Deposits on containers; 103 KAR 30:080.....	232
Energy producing fuels; 103 KAR 30:140.....	706
Farm machinery; 103 KAR 30:090.....	705
Federal taxes; 103 KAR 30:040.....	469
Finance and carrying charges; 103 KAR 30:050.....	231
Food; human consumption; 103 KAR 30:010.....	705
Freight charges; 103 KAR 30:070.....	231
Fuels used to manufacture electricity; 103 KAR 30:150.....	232
Gasoline, special fuels; 103 KAR 30:030.....	468
Industrial supplies; 103 KAR 30:130.....	469
Installation, application; 103 KAR 30:180.....	707
Livestock; artificial insemination; amended; 103 KAR 30:100.....	232, 971
Local governments, sales to; 103 KAR 30:220; 103 KAR 30:220E.....	590, 583
Machinery; new, expanded industry; 103 KAR 30:120.....	469
Natural gas; by-product gases and fuels; 103 KAR 30:160.....	232
Physical aids; 103 KAR 30:020.....	145
Prescription medicines; 103 KAR 30:020.....	145
Prosthetic devices; 103 KAR 30:020.....	145
Raw materials; 103 KAR 30:130.....	469
Sales; business; occasional; 103 KAR 30:200.....	708
Miscellaneous Retail Transactions	
Admissions; 103 KAR 28:010.....	467
Horse industry; 103 KAR 28:080.....	704
Ice sales; 103 KAR 28:070.....	231
Layaway sales; 103 KAR 28:020.....	230
Leases; 103 KAR 28:050.....	467
Producing, fabricating, processing; 103 KAR 28:030.....	704
Redemption of premium or trading stamps; 103 KAR 28:040.....	230
Rentals; 103 KAR 28:050.....	467
Replacement parts; 103 KAR 28:060.....	231
Sales to employees; 103 KAR 28:100.....	468
Signs, showcards, placards; 103 KAR 28:110.....	705
Tangible personal property; 103 KAR 28:090.....	468
Telephonic, telegraphic; services; 103 KAR 28:120.....	468
Tire retreading, recapping; 103 KAR 28:130.....	231
Miscellaneous Retailer Occupations	
Auctioneers; 103 KAR 27:010.....	465
Blueprints and photostat copies; 103 KAR 27:020.....	230
Brokers, lienors, fiduciaries; 103 KAR 27:030.....	144
Civic clubs, organizations; 103 KAR 27:170.....	145
Finance companies; 103 KAR 27:040.....	230
Florists and nurserymen; 103 KAR 27:050.....	145
Seals served by railroads; 103 KAR 27:080.....	466

	Page
Memorial dealers; 103 KAR 27:090.....	230
Motor homes; 103 KAR 27:100.....	466
Motor vehicles; 103 KAR 27:100.....	466
Photographers, photo finishers; 103 KAR 27:120.....	230
Printing, related industries; 103 KAR 27:130.....	704
Publishers of newspapers, magazines, periodicals; 103 KAR 27:140.....	145
Repairers, reconditioners; 103 KAR 27:150.....	466
Trailers; 103 KAR 27:100.....	466
Vending machines; 103 KAR 27:180.....	466
X-Ray labs; 103 KAR 27:120.....	230
Registration and Collection	
Construction machinery; 103 KAR 25:110.....	465
Factors and agents; 103 KAR 25:050.....	144
Leased departments; 103 KAR 25:030.....	702
Out-of-state retailers; 103 KAR 25:040.....	464
Permits; 103 KAR 25:010.....	701
Price bracket system, sales tax; 103 KAR 25:080.....	702
Price bracket system, use tax; 103 KAR 25:090.....	702
Railroads; display of permits; 103 KAR 25:070.....	228
Receipts; 103 KAR 25:100.....	228
Retail sales permit, application; 103 KAR 25:020.....	702
Vendors; temporary and transit; 103 KAR 25:060.....	228
Service and Professional Occupations	
Construction contractors; 103 KAR 26:070.....	703
Common carriers; 103 KAR 26:050.....	229
Dentists; dental labs; 103 KAR 26:080.....	229
Funeral directors; 103 KAR 26:040.....	465
Morticians; 103 KAR 26:040.....	465
Oculists; 103 KAR 26:030.....	144
Opticians; 103 KAR 26:030.....	144
Optometrists; 103 KAR 26:030.....	144
Painters and finishers; 103 KAR 26:060.....	229
Physicians; 103 KAR 26:020.....	144
Service; general; 103 KAR 26:010.....	144
Surgeons; 103 KAR 26:020.....	144
Towel and linen service; 103 KAR 26:100.....	229
Undertakers; 103 KAR 26:040.....	465
Veterinarians; 103 KAR 26:090.....	229
Severance Tax	
Gross and taxable value; 103 KAR 35:010.....	709
SALES AND USE TAX	
Administration and Accounting	
Accounting methods; 103 KAR 31:010.....	708
Cash discounts; 103 KAR 31:060.....	233
Certificates of exemption; 103 KAR 31:120.....	234
Coupons; 103 KAR 31:080.....	470
Damaged goods; 103 KAR 31:070.....	233
Debts, bad; 103 KAR 31:040.....	233
Demonstration; 103 KAR 31:100.....	234
Direct pay authorization; 103 KAR 31:030.....	470
Discounts, cash; 103 KAR 31:060.....	233
Display; 103 KAR 31:100.....	234
Exemption certificates; 103 KAR 31:120.....	234
Goods damaged in transit; 103 KAR 31:070.....	233
Merchandise returned; 103 KAR 31:050.....	233
Records; 103 KAR 31:020.....	232
Redemption certificates; 103 KAR 31:080.....	470
Repossessions; 103 KAR 31:040.....	233
Resale certificates; 103 KAR 31:110.....	146
Resold purchases, tax-paid; 103 KAR 31:090.....	233
Returned merchandise; 103 KAR 31:050.....	233
Successor's liability; 103 KAR 31:150.....	234
Tax-paid purchases resold; 103 KAR 31:090.....	233
Exemptions, General	
Articles taken in trade; 103 KAR 30:060; amended;....	146, 324
Artificial insemination of livestock; amended; 103 KAR 30:100.....	232
By-product gases; 103 KAR 30:160.....	232
Carrying and finance charges; 103 KAR 30:050.....	231
Containers, deposits on; 103 KAR 30:080.....	232
Containers, wrappings, etc.; 103 KAR 30:170.....	706
Commerce; interstate, foreign; 103 KAR 30:190.....	707
Deposits on containers; 103 KAR 30:080.....	232
Electricity, fuel used to manufacture; 103 KAR 30:150.....	232
Energy producing fuels; 103 KAR 30:140.....	706
Farm machinery; 103 KAR 30:090.....	705
Federal taxes; 103 KAR 30:040.....	469
Finance and carrying charges; 103 KAR 30:050.....	231
Food for human consumption; 103 KAR 30:010.....	705
Freight and delivery charges; 103 KAR 30:070.....	231
Fuels for manufacture of electricity; 103 KAR 30:150.....	232
Fuels produced as by-products; 103 KAR 30:160.....	232
Gasoline, special fuels; 103 KAR 30:030.....	468
Industrial supplies; 103 KAR 30:130.....	469
Installation, application; 103 KAR 30:180.....	707
Livestock, artificial insemination of; amended; 103 KAR 30:100.....	232
Local governments, sales to; 103 KAR 30:220; 103 KAR 30:220E.....	590, 583
Machinery; new, expanded industry; 103 KAR 30:120.....	469
Natural gas; 103 KAR 30:160.....	232
Physical aids; 103 KAR 30:020.....	145
Prescription medicines; 103 KAR 30:020.....	145
Prosthetic devices; 103 KAR 30:020.....	145
Raw materials; 103 KAR 30:130.....	469
Sales; business, occasional; 103 KAR 30:200.....	708
Miscellaneous Retail Transactions	
Admissions; 103 KAR 28:010.....	467
Horse industry; 103 KAR 28:080.....	704
Ice sales; 103 KAR 28:070.....	231
Layaway sales; 103 KAR 28:020.....	230
Leases; 103 KAR 28:050.....	467
Producing, fabricating, processing; 103 KAR 28:030.....	704
Redemption of premium or trading stamps; 103 KAR 28:040.....	230
Rentals; 103 KAR 28:050.....	467
Replacement parts; 103 KAR 28:060.....	231
Sales to employees; 103 KAR 28:100.....	468
Signs, showcards, placards; 103 KAR 28:110.....	705
Tangible personal property; 103 KAR 28:090.....	468
Telephonic, telegraphic; services; 103 KAR 28:120.....	468
Tire retreading, recapping; 103 KAR 28:130.....	231
Miscellaneous Retailer Occupations	
Auctioneers; 103 KAR 27:010.....	465
Blueprints and photostat copies; 103 KAR 27:020.....	230
Brokers, lienors, fiduciaries; 103 KAR 27:030.....	144
Civic clubs, organizations; 103 KAR 27:170.....	145
Finance companies; 103 KAR 27:040.....	230
Florists and nurserymen; 103 KAR 27:050.....	145
Seals served by railroads; 103 KAR 27:080.....	466

Page	Page
Leases; 103 KAR 28:050.....467	Hard and dormant; 12 KAR 1:045.....995
Producing, fabricating, processing; 103 KAR 28:030.....704	Identification; 12 KAR 1:055.....995
Recapping tires; 103 KAR 28:130.....231	Illegal labeling, sales; 12 KAR 1:085.....997
Redemption of stamps; 103 KAR 28:040.....230	Impounded; 12 KAR 1:095.....997
Rentals; 103 KAR 28:050.....467	Labeling
Replacement parts; 103 KAR 28:060.....231	Types; tag form; 12 KAR 1:075.....995
Retreading tires; 103 KAR 28:130.....231	When delivered to wholesaler; 12 KAR 1:060.....995
Sales to employees; 103 KAR 28:100.....463	Lawn, turf mixtures; labeling of; 12 KAR 1:065.....996
Sales of ice; 103 KAR 28:070.....231	Noxious-weed seed; 12 KAR 1:020.....994
Sales on layaway; 103 KAR 28:020.....230	Records; 12 KAR 1:100.....997
Signs, showcards, placards; 103 KAR 28:110.....705	Sampling; 12 KAR 1:010.....994
Stamp redemption; 103 KAR 28:040.....230	Stop sale orders; 12 KAR 1:090.....997
Tangible personal property; 103 KAR 28:090.....468	Tags, permit to use own; 12 KAR 1:030.....996
Telephonic, telegraphic; services; 103 KAR 28:120.....468	Terms, testing and labeling; 12 KAR 1:015.....994
Tire retreading; recapping; 103 KAR 28:130.....231	Testing; 12 KAR 1:010.....994
Miscellaneous Retailer Occupations	Tolerances; 12 KAR 1:010.....994
Auctioneers; 103 KAR 27:010.....465	Treated seed label; 12 KAR 1:070.....996
Blueprints; 103 KAR 27:020.....230	Weed seed, content permitted; 12 KAR 1:025.....994
Brokers, lienors, fiduciaries; 103 KAR 27:030.....144	
Civic clubs, organizations; 103 KAR 27:170.....145	SEVERANCE TAX
Finance companies; 103 KAR 27:040.....230	Gross and taxable value; 103 KAR 35:010.....709
Florists and nurserymen; 103 KAR 27:050.....145	
Meals served by railroads, airplanes, etc.;	SOCIAL SERVICES
103 KAR 27:080.....466	Child Welfare
Memorial dealers; 103 KAR 27:090.....230	Adoptive parents; selection, approval; 905 KAR 1:030.....294
Motor homes; 103 KAR 27:100.....466	Agencies, standards; 905 KAR 1:090.....297
Motor vehicles; 103 KAR 27:100.....466	Application to place or receive child; 905 KAR 1:010.....294
Photo finishers; 103 KAR 27:120.....230	Boarding rates; 905 KAR 1:080.....552
Photographers; 103 KAR 27:120.....230	Poster parents; criteria; 905 KAR 1:040.....651
Photostat copies; 103 KAR 27:020.....230	Group home standards; 905 KAR 1:070.....255
Printing, related industries; 103 KAR 27:130.....704	Institutions; standards; 905 KAR 1:090.....297
Publishers of newspapers, magazines, periodicals;	Subsidies, approval; 905 KAR 1:050.....295
103 KAR 27:140.....145	Day Care
Repairers, reconditioners; 103 KAR 27:150.....466	Infants and toddlers; 905 KAR 2:035.....656
Trailers; 103 KAR 27:100.....466	Nighttime care; 905 KAR 2:040.....656
Vending machines; 103 KAR 27:180.....466	School-age children; 905 KAR 2:030.....655
X-ray labs; 103 KAR 27:120.....230	Standards; all facilities; 905 KAR 2:010.....652
Registration and Collection	Standards, type I; 905 KAR 2:020.....653
Construction machinery; 103 KAR 25:110.....465	Standards, type II; 905 KAR 2:025.....654
Factors and agents; 103 KAR 25:050.....144	Transportation; 905 KAR 2:060.....657
Leased departments; 103 KAR 25:030.....702	Medical Assistance
Out-of-state retailers; 103 KAR 25:040.....464	Pharmacy services; 904 KAR 1:020L.....323
Permits; 103 KAR 25:010.....701	Physician services; 904 KAR 1:010E.....323
Price bracket System	Public Assistance
Sales tax; 103 KAR 25:080.....702	AFDC; need and amount standards; 904 KAR 2:010.....423
Use tax; 103 KAR 25:090.....702	
Railroads, display of permit; 103 KAR 25:070.....228	SOLID WASTE
Receipts; 103 KAR 25:100.....228	Landfills; construction, operation;
Retail sales; application, permit; 103 KAR 25:020.....702	401 KAR 2:010.....757
Temporary vendors; 103 KAR 25:060.....228	
Transit vendors; 103 KAR 25:060.....228	SPEECH PATHOLOGY AND AUDIOLOGY
Vendors; 103 KAR 25:060.....228	Aides
Service and Professional Occupations	Audiology; 201 KAR 17:060.....1013
Construction contractors; 103 KAR 26:070.....703	Speech pathology; 201 KAR 17:050.....1017
Common carriers; 103 KAR 26:050.....229	Ethics, code of; 201 KAR 17:040.....1017
Dental laboratories; 103 KAR 26:080.....229	License
Dentists; 103 KAR 26:080.....229	Application; 201 KAR 17:010.....1015
Funeral directors; 103 KAR 26:040.....465	Fees; 201 KAR 17:030.....1017
Linen and towel service; 103 KAR 26:100.....229	Without examination; 201 KAR 17:020.....1016
Morticians; 103 KAR 26:040.....465	
Opticians; 103 KAR 26:030.....144	STATE, DEPARTMENT OF
Optometrists; 103 KAR 26:030.....144	Corporate Filing
Painters and finishers; 103 KAR 26:060.....229	Certificate of good standing; 30 KAR 1:010.....325
Physicians; 103 KAR 26:020.....144	Statements, reports, documents; filing of; 30 KAR 1:020.....326
Service, general; 103 KAR 26:010.....144	
Surgeons; 103 KAR 26:020.....144	STATE OWNED BUILDINGS AND GROUNDS
Towel and linen service; 103 KAR 26:100.....229	Traffic control; 200 KAR 3:010; 200 KAR 3:010E.....591, 584
Undertakers; 103 KAR 26:040.....465	Vehicle parking; 200 KAR 3:010; 200 KAR 3:010E.....591, 584
Veterinarians; 103 KAR 26:090.....229	
	STATE POLICE
SANITARY ENGINEERING	Accident reports; 502 KAR 15:010.....1034
Fluoridation, public water supplies; 401 KAR 6:020.....766	Driver Training
Public water supplies; 401 KAR 6:010.....763	Conflict of interest; 502 KAR 10:020.....1032
Swimming, pools, public; 401 KAR 6:030.....766	Contracts and agreements; 502 KAR 10:050.....1033
Treatment plants; distribution; operators;	Definitions; 502 KAR 10:010.....1031
401 KAR 6:040.....771	Facilities; inspection, bonding; 502 KAR 10:020.....1032
	License
SANITATION	Instructor's; 502 KAR 10:030.....1032
Frozen food locker plants; 902 KAR 10:020.....510	Suspension, revocation, denial; 502 KAR 10:060.....1034
Public rest rooms; 902 KAR 10:010.....569	School advertising; 502 KAR 10:060.....1033
Sanitarians; 902 KAR 10:030.....511	Training school facilities; 502 KAR 10:040.....1032
Youth camps; 902 KAR 10:040.....642	Vehicle inspection; 502 KAR 10:070.....1034
	Personnel
SECRETARY OF STATE	Promotional system; 502 KAR 5:010;
Corporations	502 KAR 5:010E.....584, 620
Certificate of good standing; 30 KAR 1:010.....326	
Statements, reports, documents; 30 KAR 1:020.....326	TAX APPEALS
State Board of Elections	Rules of practice and procedure; 802 KAR 1:010.....47
Absentee voting when under indictment; 31 KAR 1:010.....3	
SECURITIES	TAXATION (See REVENUE AND TAXATION)
(See Banking and Securities)	
SEED	TEACHERS' RETIREMENT SYSTEM
Analyzing; 12 KAR 1:010.....994	Absence, leave of; 102 KAR 1:110.....461
Charges, schedule of; 12 KAR 1:105.....997	Additional contributions; 102 KAR 1:130.....137
Containers, hermetically sealed; 12 KAR 1:040.....995	Administrative staff; 102 KAR 1:037.....460
Definitions; 12 KAR 1:005.....994	Annuity payments; 102 KAR 1:155.....463
Germination	Annuity tables; 102 KAR 1:160.....433
Current; relabeling; 12 KAR 1:050.....995	Applications for retirement; 102 KAR 1:070.....136
Minimum; 12 KAR 1:030.....995	Chairman, vice-chairman, election; 102 KAR 2:010.....464
Test date; 12 KAR 1:035.....995	Contributions, additional; 102 KAR 1:130.....137
	Contributions, omitted; 102 KAR 1:125.....137
	Contributions, voluntary; 102 KAR 1:120.....136
	Disability; 102 KAR 1:140.....462

	Page
Intrants, new; 102 KAR 1:039.....	461
Fractional service year; 102 KAR 1:038.....	461
Insurance; 102 KAR 1:100.....	136
Interest credited; 102 KAR 1:135.....	462
Interest rate; out-of-state service; 102 KAR 1:050.....	135
Investment policies; 102 KAR 1:175.....	464
KIDFA investments; 102 KAR 1:180.....	464
Military service credit; 102 KAR 1:055.....	135
Omitted contributions; 102 KAR 1:125.....	137
Optional benefits; 102 KAR 1:150.....	463
Options, basis for; 102 KAR 1:145.....	462
Out-of-state service interest rate; 102 KAR 1:050.....	135
Part-time service; 102 KAR 1:036.....	460
Reciprocal arrangements; 102 KAR 1:040.....	462
Reciprocal program; CERS, KERS, SPRS, TRS; 102 KAR 1:185.....	590
Refunds; 102 KAR 1:060.....	136
Retired teachers, substitute teaching by; 102 KAR 1:035.....	135
Retirement, application for; 102 KAR 1:070.....	136
Rules and regulations; 102 KAR 1:010.....	460
Substitute teachers; 102 KAR 1:030.....	134
Substitution by retired teachers; 102 KAR 1:035.....	135
Supplemental payments; 102 KAR 1:020.....	59
Surviving children's benefits; 102 KAR 1:165.....	463
Tax-sheltered contributions; 102 KAR 1:115.....	462
Transfer to other systems; 102 KAR 1:045.....	135
Voluntary contributions; 102 KAR 1:120.....	136
TRAINING, BUREAU OF	
Kentucky Law Enforcement Council	
Application, eligibility for courses; 503 KAR 1:010.....	779
Basic training certification; 503 KAR 1:040.....	781
In-service schools; graduates; 503 KAR 1:050.....	781
Instructor's certification; 503 KAR 1:030.....	780
Repeals; 503 KAR 1:059.....	781
School's certification; 503 KAR 1:020.....	779
Law Enforcement Foundation Program Fund	
Appeals; 503 KAR 5:070.....	1037
Definitions; 503 KAR 5:010.....	1034
Funds; suspension, termination; 503 KAR 5:060.....	1037
Incentive plan; 503 KAR 5:040.....	1036
Participation requirements; 503 KAR 5:020.....	1035
Salary; 503 KAR 5:050.....	1036
Training; basic, in-service; 503 KAR 5:030.....	1035
TRANSPORTATION	
Aeronautics	
Air Carriers	
Application for certificate; 602 KAR 1:010.....	15
Certificate; limitations and conditions; 602 KAR 1:050.....	627
Charter permit application; 602 KAR 1:015.....	1040
Hearings on; 602 KAR 1:020.....	15
Insurance and indemnity bond requirements; 602 KAR 1:040.....	36
Operation of aircraft in intrastate air commerce; 602 KAR 1:030; amended;.....	36, 213
Operations; monthly report; 602 KAR 1:070.....	630
Service requirements; 602 KAR 1:060.....	628
Schedule reporting; 602 KAR 1:080.....	630
Tariff hearing procedures; 602 KAR 1:025.....	627
Airport Boards	
Commuter service; reimbursement for; 602 KAR 10:010.....	631
Airport Safety Standards	
Basic-general transport; 602 KAR 20:080.....	1042
Basic utility	
Stage I; 602 KAR 20:050.....	1041
Stage II; 602 KAR 20:060.....	1042
Definitions; 602 KAR 20:010.....	1040
General utility airports; 602 KAR 20:070.....	1042
Landing area designation; 602 KAR 20:020.....	1041
Landing strips; 602 KAR 20:040.....	1041
Scheduled air carrier airports; 602 KAR 20:090.....	1042
Standards; all airports; 602 KAR 20:030.....	1041
Airport Zoning Commission	
Administrator; 602 KAR 50:020.....	1043
Application procedure; 602 KAR 50:090.....	1044
Construction; inside conical surface; 602 KAR 50:060.....	807
Construction; outside conical surface; 602 KAR 50:070.....	807
Definitions; 602 KAR 50:010.....	806
Hearing procedures; 602 KAR 50:120.....	808
Jurisdiction; 602 KAR 50:030.....	807
Land uses; 602 KAR 50:040.....	1043
Map; 602 KAR 50:050.....	1043
Marking, lighting; 602 KAR 50:100.....	807
Permit, application; 602 KAR 50:080.....	1044
Permit period; alteration, construction; 602 KAR 50:110.....	808
Highways	
Construction and Materials	
Bidding on materials; 603 KAR 1:030.....	809
Contract price retainage, release; 603 KAR 1:010.....	808
Driveway approaches; 603 KAR 1:020.....	809
Maintenance	
Abandoned vehicles; 603 KAR 3:040.....	814
Advertising devices; 603 KAR 3:010; 603 KAR 3:020.....	810, 812
Junkyards; 603 KAR 3:050.....	815
Primary classifications; 603 KAR 3:030.....	814

	Page
Pre-Construction	
Pre-qualifications; 603 KAR 2:015.....	809
Right-of-Way	
Relocation assistance; 603 KAR 4:015.....	815
Traffic	
Detours; 603 KAR 5:080.....	817
Dimensions, trucks; 603 KAR 5:070.....	817
Fully controlled access highways; 603 KAR 5:025.....	152
Houses, buildings; moving permits; 603 KAR 5:100.....	831
Limited access, types; 603 KAR 5:010.....	37
Mobile homes; moving permits; 603 KAR 5:110.....	831
Overload, over-dimension permits; 603 KAR 5:075.....	817
Pedestrian; 603 KAR 5:020.....	37
Rest areas, use of; 603 KAR 5:040.....	152
Right turn on red signal prohibitions; 603 KAR 5:030.....	66
Spacing on bridges; 603 KAR 5:090.....	817
Toll ferries, bridges on interstate; 603 KAR 5:060.....	815
Truckway classifications; amended; 603 KAR 5:095.....	818, 973
Control devices, uniform; 603 KAR 5:050.....	815
Weights, trucks; 603 KAR 5:065.....	816
Truckway Classifications	
I-24; 603 KAR 6:021.....	68
US 31-W; 603 KAR 6:020.....	67
US 119; 603 KAR 6:012.....	66
KY 1; 603 KAR 6:018.....	67
KY 7; 603 KAR 6:019.....	67
KY 15; 603 KAR 6:010.....	66
KY 36; 603 KAR 6:011; amended;.....	66, 214
KY 59; 603 KAR 6:028.....	248
KY 70; 603 KAR 6:024.....	247
KY 85; 603 KAR 6:025.....	247
KY 111; 603 KAR 6:029.....	248
KY 136; 603 KAR 6:013.....	66
KY 153; 603 KAR 6:022.....	153
KY 181; 603 KAR 6:026.....	247
KY 292; 603 KAR 6:030.....	248
KY 797; 603 KAR 6:014.....	67
KY 805; 603 KAR 6:023.....	153
KY 909; 603 KAR 6:015.....	67
KY 1232; 603 KAR 6:016.....	67
KY 1526; 603 KAR 6:017.....	67
KY 1543; 603 KAR 6:027.....	632
Vehicle Regulation	
Administration	
General procedures; 601 KAR 2:010.....	794
Dealers	
Application; disposition; 601 KAR 20:030.....	245
Board meetings; 601 KAR 20:010.....	245
Dealer; 601 KAR 20:110.....	246
Licenses, issuance, denial; 601 KAR 20:040.....	245
Licenses, supplemental; 601 KAR 20:050.....	246
Location, change of; 601 KAR 20:080.....	246
Multi-businesses; 601 KAR 20:070.....	246
Ownership, change; 601 KAR 20:090.....	246
Premises; 601 KAR 20:070.....	246
Salesmen; 601 KAR 20:110.....	246
Signs; 601 KAR 20:070.....	246
Used car dealers; trade names; 601 KAR 20:130.....	247
Driver Improvement	
Alcohol driver education clinic; 601 KAR 13:030.....	1039
Medical Review Board; 601 KAR 13:010.....	35
Point system; 601 KAR 13:020.....	1039
Drivers' License	
Expired license; renewal; 601 KAR 12:020.....	1038
Instruction permit; 601 KAR 12:030.....	1038
Notice and hearing prior to revocation; 601 KAR 12:010.....	151
Motor Carriers	
Alternates, off-routes; 601 KAR 1:105.....	792
Application, certificate filing; 601 KAR 1:045.....	785
Charter bus; 601 KAR 1:120.....	794
Claims; 601 KAR 1:075.....	788
Commodities exempted; 601 KAR 1:090.....	791
Complaints; 601 KAR 1:095.....	791
Definitions; 601 KAR 1:035.....	783
Hearings; 601 KAR 1:030.....	782
Household goods; 601 KAR 1:080.....	789
Industrial materials permit; 601 KAR 1:020, 601 KAR 1:020E.....	2, 14
Insurance; 601 KAR 1:100.....	791
Leasing services; 601 KAR 1:100.....	791
Notice; 601 KAR 1:070.....	787
Operating application; 601 KAR 1:040.....	784
Rates and fares; 601 KAR 1:050.....	785
Registration; 601 KAR 9:010.....	795
Reports, annual; 601 KAR 1:085.....	795
Safety regulations; 601 KAR 1:005.....	1037
Size, limitations on; 601 KAR 1:010.....	14
Tariffs; 601 KAR 1:060.....	786
Taxicabs; 601 KAR 1:115.....	793
Time schedules; 601 KAR 1:065.....	787
Motor Vehicle Tax	
Commercial vehicles, trailers; 601 KAR 9:060.....	796
Dealers; registration, plates; 601 KAR 9:015.....	795
Demonstration tag; 601 KAR 9:020.....	795
Devices exempted; 601 KAR 9:065.....	799
Fuel use tax; 601 KAR 9:070.....	799
Historic motor vehicles; 601 KAR 9:050.....	798
Inspection; 601 KAR 9:035.....	795
Out-of-state titles registered in state; 601 KAR 9:030.....	796

	Page
Proportional registration; 601 KAR 9:045.....	796
Reciprocity; 601 KAR 9:040.....	796
Repossessed vehicles, trailers; 601 KAR 9:075.....	800
Seat and mileage; 601 KAR 9:055.....	798
Temporary tag; 601 KAR 9:025.....	795
Vehicle Inspection	
Exemptions; 601 KAR 10:070.....	244
Extension of time; 601 KAR 10:060.....	244
Fleet permits; 601 KAR 10:080.....	245
Inspection at registration; annually; 601 KAR 10:050.....	244
Permits and signs; display; 601 KAR 10:040.....	244
Reports; 601 KAR 10:030.....	244
Safety inspectors; mechanics; 601 KAR 10:020.....	243
Station permits; 601 KAR 10:010.....	243
Water Enforcement	
Accident report; 601 KAR 25:040.....	801
Decal; 601 KAR 25:030.....	801
Fire extinguisher; 601 KAR 25:090.....	803
Herrington Lake zoned areas; 601 KAR 25:190.....	806
Life preservers; 601 KAR 25:080.....	802
Lighting equipment; 601 KAR 25:060.....	802
Little Sandy River zoned areas; 601 KAR 25:190.....	806
Numbering system; vessels; 601 KAR 25:020.....	801
Overpowered, overloaded vessels; 601 KAR 25:110.....	803
Passengers' riding safety; 601 KAR 25:150.....	804
Power dams, operating at; 601 KAR 25:170.....	805
Red light on emergency vessel; 601 KAR 25:100.....	803
Safety equipment; 601 KAR 25:050.....	801
Safety standards; 601 KAR 25:130.....	804
Signaling devices; 601 KAR 25:070.....	802
Scuba diving; 601 KAR 25:160.....	805
Traffic rules on water; 601 KAR 25:140.....	804
Unsafe conditions; insufficient equipment; 601 KAR 25:120.....	803
Vessel classifications; 601 KAR 25:010.....	800
Zoning, marking of waters; 601 KAR 25:180.....	805

TRAVEL EXPENSE AND REIMBURSEMENT

Officers and employees, State	
Official work station; 200 KAR 2:030E; 200 KAR 2:030.....	58, 60
Subsistence expenses; 200 KAR 2:060E; 200 KAR 2:060.....	58, 60

TUCKWAY CLASSIFICATIONS

I-24; 603 KAR 6:021.....	64
US 31-W; 603 KAR 6:020.....	67
US 119; 603 KAR 6:012.....	66
KY 1; 603 KAR 6:018.....	67
KY 7; 603 KAR 6:019.....	67
KY 15; 603 KAR 6:010.....	66
KY 36; 603 KAR 6:011; amended;.....	66, 214
KY 39; 603 KAR 6:023.....	243
KY 76; 603 KAR 6:024.....	247
KY 85; 603 KAR 6:025.....	247
KY 111; 603 KAR 6:023.....	243
KY 136; 603 KAR 6:013.....	66
KY 153; 603 KAR 6:022.....	153
KY 161; 603 KAR 6:026.....	247
KY 292; 603 KAR 6:030.....	243
KY 797; 603 KAR 6:014.....	67
KY 805; 603 KAR 6:023.....	153
KY 969; 603 KAR 6:015.....	67
KY 1232; 603 KAR 6:016.....	67
KY 1526; 603 KAR 6:017.....	67
KY 1543; 603 KAR 6:027.....	632

UTILITIES

Electric; 807 KAR 2:050.....	680
Electrical inspector certification; 807 KAR 2:060.....	1091
Employees; OSHA, work areas; 807 KAR 3:010.....	271
Gas; amended; 807 KAR 2:025.....	260, 979
Gas service lines; 807 KAR 2:030.....	266
Rules; amended; 807 KAR 2:010.....	183, 975
Tariffs; 807 KAR 2:020.....	257
Water; 807 KAR 2:040.....	267

VEHICLE REGULATION

Administration	
General procedures; 601 KAR 2:010.....	794
Dealers	
Application; disposition; 601 KAR 20:030.....	245
Board meetings; 601 KAR 20:010.....	245
Dealer; 601 KAR 20:110.....	246
Licenses, issuance, denial; 601 KAR 20:040.....	245
Licenses, supplemental; 601 KAR 20:050.....	246
Location, change of; 601 KAR 20:080.....	246
Multi-businesses; 601 KAR 20:070.....	246
Ownership, change of; 601 KAR 20:090.....	246
Premises; 601 KAR 20:070.....	246
Salesman; 601 KAR 20:110.....	246
Signs; 601 KAR 20:070.....	246
Used car dealers; trade names; 601 KAR 20:130.....	247
Driver Improvement	
Alcohol education clinic; 601 KAR 13:030.....	1039
Medical Review Board; 601 KAR 13:010.....	35
Point system; 601 KAR 13:020.....	1039
Drivers' License	
Expired license, renewal; 601 KAR 12:020.....	1038
Instruction permit; 601 KAR 12:030.....	1038
Notice and hearing prior to revocation; 601 KAR 12:010.....	151
Motor Carriers	
Alternates; off-routes; 601 KAR 1:105.....	792
Application, certificate; filing; 601 KAR 1:045.....	785
Charter bus; 601 KAR 1:120.....	794

	Page
Claims; 601 KAR 1:075.....	788
Commodities exempted; 601 KAR 1:090.....	791
Complaints; 601 KAR 1:095.....	791
Definitions; 601 KAR 1:035.....	783
Hearings; 601 KAR 1:030.....	782
Household goods; 601 KAR 1:080.....	789
Industrial materials permit; 601 KAR 1:020, 601 KAR 1:020E.....	2, 14
Insurance; 601 KAR 1:100.....	791
Leasing services; 601 KAR 1:110.....	793
Notice; 601 KAR 1:070.....	787
Operating application; 601 KAR 1:040.....	784
Rates and fares; 601 KAR 1:050.....	785
Registration; 601 KAR 9:010.....	795
Reports, annual; 601 KAR 1:085.....	790
Safety regulations; 601 KAR 1:005.....	1037
Size limitations; 601 KAR 1:010.....	14
Tariffs; 601 KAR 1:115.....	733
Tariffs; 601 KAR 1:060.....	786
Time schedules; 601 KAR 1:065.....	787
Motor Vehicle Tax	
Commercial vehicles, trailers; 601 KAR 9:060.....	793
Dealers; registration, plates; 601 KAR 9:015.....	795
Demonstration tag; 601 KAR 9:020.....	792
Devices exempted; 601 KAR 9:065.....	799
Fuel use tax; 601 KAR 9:070.....	799
Historic motor vehicles; 601 KAR 9:050.....	798
Inspection; 601 KAR 9:035.....	796
Out-of-state titles registered in state; 601 KAR 9:030.....	795
Proportional registration; 601 KAR 9:045.....	797
Reciprocity; 601 KAR 9:040.....	796
Repossessed vehicles, trailers; 601 KAR 9:075.....	800
Seat and mileage; 601 KAR 9:055.....	798
Temporary tag; 601 KAR 9:025.....	795
Vehicle Inspection	
Exemptions; 601 KAR 10:070.....	244
Extension of time; 601 KAR 10:060.....	244
Fleet permits; 601 KAR 10:080.....	245
Inspection at registration; annually; 601 KAR 10:050.....	244
Permits and signs; display; 601 KAR 10:040.....	244
Reports; 601 KAR 10:030.....	244
Safety inspectors; mechanics; 601 KAR 10:020.....	243
Station permits; 601 KAR 10:010.....	243
Water Enforcement	
Accident report; 601 KAR 25:040.....	801
Decal; 601 KAR 25:030.....	801
Fire extinguishers; 601 KAR 25:090.....	803
Herrington Lake zoned areas; 601 KAR 25:190.....	806
Life preservers; 601 KAR 25:080.....	802
Lighting equipment; 601 KAR 25:060.....	802
Little Sandy River zoned areas; 601 KAR 25:190.....	806
Numbering system; vessels; 601 KAR 25:020.....	801
Overpowered, overloaded vessels; 601 KAR 25:110.....	803
Passengers riding safety; 601 KAR 25:150.....	804
Power dams, operating at; 601 KAR 25:170.....	805
Red light on emergency vessel; 601 KAR 25:100.....	803
Safety equipment; 601 KAR 25:050.....	801
Safety standards; 601 KAR 25:130.....	804
Signaling devices; 601 KAR 25:070.....	802
Scuba diving; 601 KAR 25:160.....	805
Traffic rules on water; 601 KAR 25:140.....	804
Unsafe conditions; insufficient equipment; 601 KAR 25:120.....	803
Vessel classifications; 601 KAR 25:010.....	800
Zoning, marking of waters; 601 KAR 25:180.....	805

VETERINARY EXAMINERS

Conduct, code of; 201 KAR 16:010.....	1014
Examination; reciprocity; fees; 201 KAR 16:020.....	1015
License, renewal notice; 201 KAR 16:030.....	1016

VITAL STATISTICS

Amended birth certificate; 901 KAR 5:070.....	637
Birth and death; verification; 901 KAR 5:040.....	636
Birth certificate reissued; 901 KAR 5:060.....	636
Certified copies of certificate; 901 KAR 5:050.....	636
Delayed birth registration; 901 KAR 5:020.....	636
Delayed death registration; 901 KAR 5:080.....	637
State registrar; 901 KAR 5:010.....	635
Stillbirths; 901 KAR 5:030.....	636

VOCATIONAL EDUCATION

Administration	
State plan; 705 KAR 1:010.....	47
Adult Education	
Definitions; 705 KAR 7:010.....	85
Eight grade equivalency certificate; 705 KAR 7:040.....	85
High school equivalency certificate; 705 KAR 7:030.....	509
Testing program; 705 KAR 7:020.....	509
Facilities and Equipment	
College or university, department of; 705 KAR 3:050.....	507
Construction; 705 KAR 3:080.....	508
Definitions; 705 KAR 3:010.....	505
Equipment	
Disposal; 705 KAR 3:130.....	1060
Insurance; 705 KAR 3:120.....	1060
Inventory; 705 KAR 3:110.....	1060
Purchasing; 705 KAR 3:100.....	1060
Specifications; 705 KAR 3:090.....	1059
Maintenance; 705 KAR 3:075.....	1059
Remote high school; 705 KAR 3:060.....	507
Residential facilities; 705 KAR 3:070.....	1059
Specialized public high school; 705 KAR 3:030.....	507

Vocational-technical; public or state; 705 KAR 3:040.....	507
Fiscal Management	
Audits; 705 KAR 2:090.....	505
Budgets; 705 KAR 2:020.....	1058
Foundation program units; 705 KAR 2:030.....	1058
Instructional Program	
Adult program; 705 KAR 4:190.....	1068
Agribusiness; 705 KAR 4:070.....	1063
Business, office education; 705 KAR 4:090.....	1064
Cooperative; 705 KAR 4:040.....	1061
Extended Employment	
Local districts; 705 KAR 4:020.....	1061
State schools; 705 KAR 4:030.....	1061
FFA leadership training center; 705 KAR 4:080.....	1063
General standards; 705 KAR 4:010.....	1060
Health, personal service; 705 KAR 4:100.....	1064
Home Economics	
Consumer and homemaking; 705 KAR 4:110.....	1065
Cainful; 705 KAR 4:120.....	1065
Industrial; 705 KAR 4:130.....	1066
Marketing, distributive; 705 KAR 4:140.....	1066
Postsecondary program; 705 KAR 4:180.....	1068
Practical arts; 705 KAR 4:150.....	1067
Public service occupations; 705 KAR 4:160.....	1067
Secondary standards; 705 KAR 4:060.....	1062
Special vocational education; 705 KAR 4:170.....	1067
Work experience; 705 KAR 4:050.....	1062
Licensing Proprietary Schools	
Advertising; 705 KAR 10:120.....	37
Agent's permit; 705 KAR 10:020.....	510
Appeals procedure; 705 KAR 10:120.....	37
Cancellation and refund; 705 KAR 10:060.....	86
Catalog; 705 KAR 10:050.....	86
Certificate of approval; 705 KAR 10:010.....	85
Enrollment contract; records, reports; 705 KAR 10:090.....	87
Equipment and facilities; 705 KAR 10:080.....	87
Financial stability; 705 KAR 10:160.....	87
Flight school bonding; 705 KAR 10:050.....	1069
Personnel qualifications; 705 KAR 10:040.....	85
Management of State-Operated Schools	
Administration; 705 KAR 5:020.....	508
Enrollment quotas; 705 KAR 5:010.....	84
Live work projects; 705 KAR 5:060.....	84
Regional program; 705 KAR 5:070.....	1068
Steering committee; 705 KAR 5:040.....	509
Suspension, expulsion; 705 KAR 5:080.....	1068
Transportation reimbursement; 705 KAR 5:030.....	84
Student Financial Aid	
Administration; 705 KAR 8:010.....	510
Supporting Services	
Teacher education; 705 KAR 6:010.....	1069
Veterans' Approval Agency	
Apprenticeship and OJT courses; 705 KAR 11:020.....	88
Denial or revocation; 705 KAR 11:040.....	88
Inspection and supervision; 705 KAR 11:050.....	88
Institutional courses; 705 KAR 11:010.....	87
Revision and amendments; 705 KAR 11:030.....	88
VOTING	
Absentee	
When under indictment; 31 KAR 1:010.....	8
Soybean referendum; 302 KAR 1:010.....	150
WAGES AND HOURS	
(See Labor)	
WATER QUALITY	
Biocchemically degradable wastes; 401 KAR 5:045.....	763
Classification; 401 KAR 5:035.....	762
Standards; 401 KAR 5:025.....	761
Spills, bypasses; reporting of; 401 KAR 5:015.....	761
Sewage, waste; permits to discharge; 401 KAR 5:005.....	760
WATER RESOURCES	
Dams, design criteria; 401 KAR 4:030.....	759
Sediment structures; 401 KAR 4:040.....	759
Withdrawal permits; 401 KAR 4:010; amended.....	11, 448
WEIGHTS AND MEASURES	
(See Agriculture)	
WILDLIFE	
Ballard Refuge restrictions; 301 KAR 4:020.....	65
Birds, migratory; seasons, limits; 301 KAR 2:021E.....	24
Birds of prey; 301 KAR 2:070.....	475
Devices for taking; 301 KAR 2:020.....	33
Districts, state; 301 KAR 4:010.....	35
Migratory game; means of taking; 301 KAR 2:090.....	732
Fits and blinds; restrictions; 301 KAR 2:055.....	600
Propagation, pets; permits; 301 KAR 2:080.....	732
Species, endangered; 301 KAR 3:060.....	476
Steel traps, use of; 301 KAR 2:010.....	33
Turkey, wild; 301 KAR 3:050.....	475
Waterfowl seasons; limits; 301 KAR 2:022E.....	121
Year round season; exceptions; 301 KAR 3:030.....	600
WORKMEN'S COMPENSATION	
Average weekly wage certification; 803 KAR 25:040.....	840
Joint liability; special fund, employer; 803 KAR 25:030.....	839
Payment, time limitation on; 803 KAR 25:050.....	840
Procedure; 803 KAR 25:010.....	836
Self-insurers; 803 KAR 25:020.....	838

KENTUCKY REVISED STATUTES

Chapter 13

ADMINISTRATIVE REGULATIONS

13.075 Definition of Commission. — As used in this chapter unless the context requires otherwise: "Commission" means the Legislative Research Commission. (Enact. Acts 1956, ch. 97, sec. 1, eff. May 18, 1956.)

13.080 Definitions and construction. — As used in KRS 13.080 to 13.125,

(1) "Administrative Body" means each state board, bureau, commission, department, division, authority, officer, or other entity, except the legislature and the courts, authorized by law to make regulations.

(2) "Subcommittee" means Administrative Regulation Review Subcommittee.

(3) "Regulation" means each statement of general applicability issued by an administrative body that implements, interprets, or prescribes law or policy, or describes the organization procedure, or practice requirements of any administrative body. The term includes the amendment or repeal of a prior regulation, but does not include

(a) statements concerning only the internal management of an administrative body and not affecting private rights or procedures available to the public, or

(b) declaratory rulings, or

(c) intradepartmental memoranda.

(4) "Affirmative consideration" means that an administrative body must either adopt suggestions or recommendations regarding a regulation or issue a concise statement setting forth the reasons for not adopting suggestions or recommendations regarding a regulation.

(5) Compliance with the provisions of KRS 13.080 to 13.125 does not dispense with the requirements of any other law necessary to make the regulation effective. (Enact. Acts 1952, ch. 63, sec. 1; 1972, ch. 180, sec. 1; 1974, ch. 73, sec. 1, eff. July 1, 1974.)

13.082 Uniformity of power to adopt regulations — Repeal of conflicting provisions. — (1) The power vested in every administrative body to adopt regulations shall be uniform and shall be confined to the direct implementation of the functions and duties assigned to an administrative body by the General Assembly, or by executive order.

(2) All grants of authority to adopt regulations inconsistent with this provision are hereby repealed and the Legislative Research Commission is hereby directed to identify and to draft legislation for introduction in the 1976 General Assembly repealing all provisions of the Kentucky Revised Statutes in conflict with this section. (Enact. Acts 1974, ch. 73, sec. 5, eff. July 1, 1974)

13.084 Refiling of regulations — Rescinding of regulations not refilled. — (1) Each administrative body shall file within one (1) year of July 1, 1974, in accordance with the provisions of KRS Chapter 13, all regulations which were adopted by such administrative body prior to July 1, 1974, and which are still effective and all regulations which were adopted by such administrative body prior to July 1, 1974 and which do not become effective until after July 1, 1974.

(2) All regulations filed prior to July 1, 1974, whether or not they shall have become effective, are rescinded effective one (1) year after July 1, 1974. (Enact. Acts 1974, ch. 73, sec. 6, eff. July 1, 1974.)

13.085 Publication, hearing, and review of proposed administrative regulation — Requisites of proposal — Public hearing. — (1) Except as provided in subsection (2) of this section no regulation made by any administrative body after July 1, 1974, shall become effective until after an original and five (5) duplicate copies of the regulation are forwarded to the office of the Legislative Research Commission, and:

(a) the proposed regulation has been published in the Administrative Register as required by KRS 13.096; and

(b) a public hearing is held, if requested, by a person having an interest in the subject matter, within thirty (30) days following publication of proposed regulation, as provided by subsection (4) of this section; Provided, however, that if no public hearing is requested within thirty (30) days of publication the regulation shall be submitted to the Administrative Regulation Review Subcommittee;

(c) the proposed regulation has been reviewed by the Administrative Regulation Review Subcommittee as required by KRS 13.087; and

(d) the proposed regulation is reviewed by the appropriate interim or standing committees of the General Assembly, if required by KRS 13.087.

(2) The requirements of subsection (1) of this section shall not apply when the administrative body finds that an emergency exists, and the Governor issues an executive order that the regulation become effective immediately upon being filed in the office of the Legislative Research Commission. A regulation so filed shall expire at the end of 120 days, during which time the proposed regulation may be processed in accordance with this section if the administrative body desires it to become permanent. The General Assembly hereby declares that it is the state policy that emergencies are held to a minimum.

(3) Each proposed regulation submitted to the Legislative Research Commission shall include a citation of the authority pursuant to which it, or any

part of it, was adopted, a brief statement which sets forth the necessity for issuing the regulation, a summary of the functions sought to be implemented by the regulation, and the place and manner in which interested persons may present their views.

(4) If within thirty (30) days following publication of the text of a proposed regulation a request is received by the administrative body from a person having an interest in the subject matter of the regulation to offer comment upon the proposed regulation, the administrative body shall fix a date, time and place for a hearing, open to the public, on the proposed regulation. Every hearing shall be conducted in such a manner so as to guarantee each person who wishes to offer comment a fair and reasonable opportunity to do so; Provided, However, every hearing shall be conducted so as to be completed within sixty (60) days from the date the proposed regulation was first published in the Administrative Register. No transcript need be taken of the hearing unless a written request for a transcript is made in which case the person requesting the transcript shall have the responsibility of paying for same. Following the hearing the administrative body shall give affirmative consideration to all written and oral statements submitted regarding the proposed regulation. The administrative body shall then forward to the Legislative Research Commission a copy of the regulation as originally published in the Register accompanied by a statement indicating whether any changes have been made in the original wording and by a statement summarizing the comments submitted to the administrative body at the hearing.

(5) The Legislative Research Commission shall cause to be endorsed on the original and duplicate copies of each regulation submitted the time and date of the filing thereof and shall maintain a file of such regulations for public inspection, with suitable indexes. (Enact. Acts 1952, ch. 63, sec. 2; 1972, ch. 180, sec. 3; 1974, ch. 73, sec. 2, eff. July 1, 1974.)

13.087 Administrative Regulation Review Subcommittee—Procedure upon objection to regulations.—(1) There is hereby created a permanent subcommittee of the Legislative Research Commission to be known as the Administrative Regulation Review Subcommittee. The subcommittee shall be composed of three (3) members, no more than two (2) of whom shall be members of the same political party. The Legislative Research Commission shall appoint from the membership of the General Assembly, the members of the subcommittee for terms of two (2) years, and the members so appointed shall elect one (1) of their number to serve as chairman. Any vacancy which may occur in the membership of the subcommittee shall be filled by the Legislative Research Commission at its next regularly scheduled meeting after the occurrence of the vacancy.

(2) The subcommittee shall meet monthly at such time and place as the chairman may determine. The members of the subcommittee shall be compensated for attending meetings, as provided in KRS 7.090(2).

(3) Any professional, clerical or other employees required by the subcommittee shall be provided in accordance with the provisions of KRS 7.090(4) and (5).

(4) Prior to filing, all regulations shall be submitted to the Administrative Regulation Review Subcommittee to determine if the regulation conforms to the statutory authority under which it was promulgated and if it carries out the legislative intent of the statutory authority under which it was promulgated. The subcommittee's finding that a regulation does not conform to the statutory authority or carry out the legislative intent shall be reported to the promulgating administrative body and to the Director of the Legislative Research Commission. In the event the subcommittee determines that a regulation, other than an emergency filing approved by the Governor, does not conform to the statutory authority, or does not coincide with the legislative intent, the subcommittee shall attach to the regulation a written notation of its objection, including a statement of the reasons therefor, and shall return the regulation to the promulgating administrative body. Notice of such objection shall be given by the subcommittee to the Director of the Legislative Research Commission. The subcommittee shall act on a regulation submitted to the Legislative Research Commission within thirty (30) days of the submission of the regulation.

(5) The promulgating administrative body may revise a regulation to comply with the subcommittee's objections, and may return the revised regulation to the subcommittee, or it may return the regulation, with the subcommittee's notation attached, without change. The Legislative Research Commission shall immediately accept a regulation as filed if it is not objected to by the subcommittee.

(6) In the event an administrative body returns a regulation, objected to by the subcommittee, to the Legislative Research Commission, without change, the regulation shall be referred by the Director to the standing committee of the House of Representatives and Senate or to the Interim Committee with appropriate jurisdiction as determined by the Rules of the House and Senate then in effect or in effect during the most recent session of the General Assembly. The standing committees of the House and Senate or the interim committee to which a regulation is referred under this section shall review the regulation in the same manner as did the Administrative Regulation Review Subcommittee and shall not expand their review beyond determining whether the regulation conforms to the statutory authority under which it was promulgated and whether the regulation carries out the legislative intent of the statute it seeks to implement. In the event the standing committee

and Senate or the Interim Committee determines that a regulation does not conform to the statutory authority under which it was promulgated, or does not coincide with the legislative intent of the statute it seeks to implement the standing committees or the interim committee shall attach to the regulation a written notation of its objection, including a statement of the reasons therefor, and the Director shall return the regulation to the promulgating administrative body. Notice of such objection shall be given by the standing committees or by the interim committee to the Director of the Legislative Research Commission. The standing committees or interim committee shall act on a regulation submitted in accordance with this section within thirty (30) days of the date the administrative body returns the regulation.

(7) The promulgating administrative body may revise a regulation to comply with the subcommittee's interim or standing committee's objections, and may return the revised regulation to said subcommittee or committee, or may return the regulation with the subcommittee's interim or standing committee's notation attached, without change. The Legislative Research Commission shall immediately accept the regulation as filed.

(8) The subcommittee shall report monthly to the Legislative Research Commission all action taken on administrative bodies' regulations. The Director of the Legislative Research Commission shall report to the Commission all action taken by the standing committee or by the interim committee.

(9) All regulations objected to by the subcommittee and by the standing committees or interim committee and not revised by the promulgating administrative body together with the notations of the subcommittee's and the standing committee's or interim committee's objection shall be transmitted by the Director to the clerk of the Senate and the clerk of the House of Representatives on or before the first day of each regular session of the General Assembly. The clerk of the Senate and the clerk of the House of Representatives shall lay all regulations so transmitted before the Senate and the House of Representatives, respectively, for such action as the respective legislative bodies may determine to be appropriate. (Enact. Acts 1972, ch. 180, sec. 4; 1974, ch. 73, sec. 3, eff. July 1, 1974.)

13.090 Functions of Legislative Research Commission.—(1) The commission shall prescribe rules governing the manner and form in which regulations shall be prepared, to the end that all regulations shall be prepared in a uniform manner. The commission may refuse to accept for filing any regulation that does not conform to the rules.

(2) The Legislative Research Commission shall furnish advice and assistance to all administrative bodies in the preparation of their regulations, and in revising, codifying and editing existing or new regulations. (Enact. Acts 1952, ch. 63, sec. 3; 1972, ch. 180, sec. 5.)

13.096 Kentucky Administrative Regulations Service—Administrative Register.—(1) The Legislative Research Commission shall compile, publish and distribute the regulations filed by administrative bodies in a manner which will accommodate changes in regulations and allow distribution of any topical or organizational part of the regulations as well as all of them. This compilation shall be known as the Kentucky Administrative Regulations Service and shall constitute the official state publication of administrative regulations.

(2) There is hereby created a publication known as "The Administrative Register" to be printed and published on a monthly basis by the Legislative

Research Commission for the purpose of giving notice of proposed regulations filed in accordance with KRS 13.085. Every regulation forwarded to the Legislative Research Commission shall have its complete text printed in the Administrative Register along with the accompanying statements required by KRS 13.085.

(3) The Commission shall prescribe reasonable fees for subscription to the Kentucky Administrative Regulations Service and the Administrative Register. All fees paid to the Commission for these publications shall be placed in the State Treasury to the credit of a revolving, trust or agency fund account, for use by the Legislative Research Commission in carrying out the provisions of this section. (Enact. Acts 1956 (1st Ex. Sess.) ch. 6, sec. 1; 1972, ch. 180, sec. 6; 1974, ch. 73, sec. 4, eff. July 1, 1974.)

13.097 Regulations Compiler—Certificate—Filing of publication with Secretary of State.—The Kentucky Administrative Regulations Service shall be prepared under the direct supervision of an employee appointed by the director of the Legislative Research Commission and designated the Regulations Compiler. The Director shall cause to be prepared a certificate to the effect that the text of the regulations as printed in this service is correct. One (1) copy of the Kentucky Administrative Regulations Service with the original certificate therein shall be maintained in the office of the Secretary of State. All other copies shall contain a printed copy of the certificate and shall constitute prima facie evidence of the law in all courts and proceedings. (Enact. Acts 1956 (1st Ex. Sess.) ch. 6, sec. 2; 1974, ch. 370, sec. 2.)

13.100 Effect of Commission's file stamp on regulation or publication of regulation.—The Legislative Research Commission's authenticated file stamp on a rule or regulation, or publication of a rule or regulation in the Kentucky Administrative Regulations Service shall raise a rebuttable presumption that the rule or regulation was adopted and filed in compliance with all requirements necessary to make it effective. (Enact. Acts 1952, ch. 63, sec. 5; 1956 (1st Ex. Sess.), ch. 6, sec. 3.)

13.102 Administrative body's publication of informational copies.—No administrative body other than the Legislative Research Commission shall publish administrative rules or regulations unless the rules or regulations are inclosed in a booklet or binder on which the words "Informational Copy" are clearly stamped or printed. (Enact. Acts 1958, ch. 47, sec. 1; repealed and reen. Acts 1966, ch. 255, sec. 5; 1972, ch. 180, sec. 7.)

13.105 Judicial notice.—The courts shall take judicial notice of any regulation duly filed under the provisions of KRS Chapter 13, after the regulation has become effective. (Enact. Acts 1952, ch. 63, sec. 6; 1972, ch. 180, sec. 8.)

13.115 File of ineffective regulations to be kept.—When any regulation filed with the Legislative Research Commission expires by its own terms, or is superseded or revoked, the commission shall cause the same to be placed in a "dead" file. (Enact. Acts 1952, ch. 63, sec. 8.)

13.125 Notice and hearings on proposed regulations.—Where practicable to do so, state agencies are encouraged to give notice, to interested persons, of proposed regulations, and conduct hearings upon the proposed regulations prior to adoption thereof. (Enact. Acts 1952, ch. 63, sec. 10, eff. June 19, 1952.)

Subscription Order Form

Here is my subscription to the Administrative Register of Kentucky for the year beginning August, 1974 and ending July, 1975. Enclosed is my check for \$24 made payable to the KENTUCKY STATE TREASURER.

NAME _____

ADDRESS _____

Zip Code _____

MAIL TO: The Administrative Register
Legislative Research Commission
State Capitol
Frankfort, Kentucky 40601

Change of Address Notification

If information on mailing label is incorrect, please note correct address in spaces below and mail to:

The Administrative Register
Legislative Research Commission
State Capitol
Frankfort, Kentucky 40601

NAME _____

ADDRESS _____

Zip Code _____